

AMERICA

A-CATHOLIC-REVIEW-OF-THE-WEEK

VOL. L., No. 22
WHOLE No. 1275

March 3, 1934

PRICE 10 CENTS
\$4.00 A YEAR

CONTENTS

EDITORIALS —Note and Comment.....	509-513
TOPICS OF INTEREST: The Law's Delay and Its Consequences by I. Maurice Wormser—Can Language Be Organized? by John LaFarge, S.J.—Is Social Justice Good Business? III. Consolidating the Gains by Basil C. Walker—German Catholics a Century Ago by Joseph T. Durkin, S.J.....	514-521
EDUCATION: Catholic Authors and the Catholic College by Rosemary Shaughnessy..	521-522
SOCIOLOGY: Demas Hath Left Us by Paul L. Blakely, S.J.....	522-524
WITH SCRIP AND STAFF by The Pilgrim.....	524-525
LITERATURE: Father Hudson, the Pioneering Editor by Patrick J. Carroll, C.S.C.....	525-526
REVIEWS OF BOOKS526-528.... COMMUNICATIONS ..529.. CHRONICLE ..	530-532

Strikes and the Recovery

EIGHT decisions in the lower Federal Courts, four sustaining parts of the Recovery legislation, and four declaring parts to be unconstitutional, indicate the difficulty and the magnitude of the task which the Government has undertaken. Most of these cases will be brought to the Supreme Court. But if recovery must wait upon the Court, can the Government's program be carried through successfully?

At the outset of his Administration, the President stated that the experiment depended in very large part upon the willingness of all citizens to forego special advantages, real or fancied, and to work in harmony with the Government. Time has supplied much evidence to support the wisdom of the President's statement. Events are now proving that there was too much reliance upon a Federal statute speedily to reform a disordered economic and industrial world, and too little soliciting of voluntary action in the States, through legislation, and the stimulation of a healthy public opinion. Some effects that might have been looked for now occupy the national scene.

Every set of employers, with a grievance against any section of the Recovery program, has its set of lawyers to explain how more men can be put to work, for instance, without adding to the payroll. The Government itself, the largest employer of labor in the country, has never regarded the NRA legislation as applicable to itself, and in practice has paid no more attention to the restrictions of the Act than to the latest decree of the Duce for the better ordering of the colonies in Africa. The workers, too, catching the fever, have not lacked advisers, legal and lay. Where this has happened, the net result of all the bickering has been misery for the workers, a reduced income for employers, and a perceptible slowing up of the Government's program.

The whole situation illustrates the old maxim that while you may drive a horse to water, you cannot make him drink. The Government has done much driving, much of it skilful, some of it bungling and awkward, and now that the steed is at the stream, many in Washington seem perplexed to know what to do next.

For instance: if any man in the country spoke out clearly three months ago on the real purpose of section 7 (a) of the Recovery Act, it was Donald Richberg, chief counsel to Administrator Johnson. He had no doubt that while the section did not, *totidem verbis*, ban the company union, its purpose was undoubtedly to protect the workers in their right to form this representative union without interference from employers, and to affiliate it, if they so wished, with the American Federation of Labor. The unions and the country at large agreed with Mr. Richberg's interpretation, but many employers, especially in the coal and steel industries, rejected it utterly. Unfortunately, Mr. Richberg's zeal for this particular measure seems to have cooled.

In any event, the employers have been working with unusual success to establish various forms of company unions, some of them in apparent defiance of Senator Wagner and the National Labor Board. Nearly 3,000,000 wage earners are now regimented in company unions, as against less than half that number twelve months ago, and, as these lines are written, decision on some of the chief offenders among the employers is still pending. Senator Wagner promises a speedy decision in the Weirton scandal, but in any case, the workers will remember that last December the Federal Government broke a strike involving 14,000 men by promising to guarantee them a free election, but hurried back to Washington without striking a blow in their behalf, when the Weirton officials barred the Government's agents from the polling places.

We offer no blanket indictment of the Weirton industry, as we offer none of the Labor Board. What can be indicted, however, is the paltering policy of the Recovery Administration in this case, and in others like it, practically from the outset. It began with grape and canister all along the line. It appears to have ended by proffering Mr. Weir a bedraggled olive branch. Perhaps it has now learned how not to do it, but it is regrettable that the experiment had to be tried on an industrial plant known all over the country. Uncertain experiments should be conducted in the privacy of the laboratory, not in the open forum of the lecture room.

We are all for the theory of the Recovery legislation, and much of its practice, and we hope it will be clarified and pointed through interpretations by the Supreme Court. But our impatience grows with some of the administrators whose fingers are all thumbs whenever they try to pick up a case. Too much of the work of the Recovery Administration, as it has thus far operated, looks suspiciously like yielding to the company union, and to those who refuse to pay the workers decent wages.

A Beloved King

THE eulogies of kings are often empty, but the whole world pays tribute to Albert I, the beloved King of the Belgians. He merited his title in the dark days of the World War, and in the years that have intervened his intelligent work for his country established him firmly in the hearts of the Belgian people. Belgium is a "little" country, yet few nations equal it in intelligence and prosperity, and from the military point of view, perhaps none is so important. What Napoleon said of Antwerp is still true, and all nations agree on the proposition that no nation shall have a controlling voice in the affairs of Belgium.

As a constitutional monarch, Albert could serve his country only through his influence upon his Ministers and upon the people. At various times, this political-minded people has been embroiled in controversies over education, labor problems, and the language question. Belgium is still a bi-lingual country, and while a majority of the people are Catholics, the Socialists and Liberals can generally be relied upon to write in support of social and educational schemes that are at variance with Catholic thought. Governments cannot be confronted with problems more intricate and vexing than those which arise from differences in language and in religion. It is to the credit of Albert that, while never subordinating his strongly Catholic principles and opinions to expediency, he usually was able to wield an influence that smoothed the way to harmonious conclusions. In his youth, his tutor in political science and history was Father Arthur Vermeersch, S.J., now at the Gregorian University in Rome, and to the teachings which he then adopted, he was always faithful.

In the Providence of God, what was intended to be a pleasant afternoon of healthy exercise ended with death for this "truly Christian King," as Pius XI styled him.

The king was an experienced mountain climber, and when he went out to scale a cliff of the Rocher de Marche-des-Dames, he might well feel that he needed neither attendance nor a skilled companion. As reported in the dispatches, he seems to have grasped a rock loosened by the frost, and as it gave way the king fell thirty feet to a projecting ledge. Searchers found the body near a little chapel known as "the Calvary of the Good God." May his soul rest in peace.

Austrian Independence

CONDITIONS in the most distressful country in Europe now appear to be definitely on the mend. A statement issued at London on February 17, in the names of France, Italy, and Great Britain, declared that these Governments "take a common view as to the necessity of maintaining Austria's independence and integrity, in accordance with the relevant treaties." In a memorandum communicated some ten days earlier to the Austrian Minister at London, Sir John Simon stated that while the British Government had no intention of interfering with the internal affairs of any country, "they fully recognize the right of Austria to demand that there should be no interference with her internal affairs from any other quarter."

It is perfectly clear, then, that these Governments are prepared to adopt a definite stand should the ambitions attributed to the German Nazis take more substantial form. For some weeks Hitler himself has spoken in the most guarded terms, but the press and some of his lieutenants, both alike under his complete control, have felt no need of imposing a similar restraint upon their utterances. In their view, the disturbances in Austria were to be followed by a coup d'état and, more remotely perhaps, by an "understanding" which would be equivalent to a Hitlerized Nazi regime in that country. Since the publication of the warning by the three Powers, the German press has disclaimed all purpose or even possibility of Nazi aggression, and for the moment, Austria, politically speaking, at least, stands in the clear.

A certain section of the American press, of which the *New York Times* is the outstanding representative, finds it "highly significant" that "Italy should have joined in this warning to Hitler." Perhaps it is, in the sense that it discloses Mussolini's real aim in proposing a four-Power treaty, including Germany. It is clear that Mussolini's purpose was the establishment of a more stable peace in Europe than the League of Nations seemed able to guarantee, but no one who knows the Duce and the present temper of the Italian people could doubt the action of the Government should the German Government attempt to establish itself in Austria. There is hardly an external resemblance between Fascism and Hitlerism, and the Duce is too clear-sighted a politician to look with anything but dismay upon a Nazi colony established along the northern frontier. Nor could the attitude of France be doubtful. England's accession gives strength and the certainty of a sanction to the warning, and even Hitler,

for all that his elevation seems to have afflicted him with madness, will scarcely dare to disregard it.

The Airplanes Drop

IT is natural that the executive order of the President, canceling all contracts for carrying the mail by airplane, should have stirred up opposition as well as support. To begin with, valuable commercial properties were affected; in the next place, the immediate execution of the order meant that many civilian employees would be temporarily thrown out of work. But Colonel Lindbergh's telegram of protest was promptly followed by a communication from the Postmaster General, in which Mr. Farley hinted that the Colonel would not have rushed into print had he known all the facts in the case.

The controversy will probably range over a large field before the law speaks the last word. But, oddly enough to the average citizen, in cases to which the Federal Government seems to be a party, the ordinary processes of the law do not run. Before the "New Deal" legislation is many months older, this same average citizen will hear much talk about what the Federal Government may and may not rightly do, and in the end he and his fellows will have finished a fair course in constitutional law.

The making of the mail contracts did not happen under the "New Deal," but the case argued before Judge Knox in the Federal District Court in New York ten days ago involved many instances which are closely connected with it. For example, should any section of the Recovery legislation work you an injury, your lawyer will advise you that you cannot obtain redress by suing the Federal Government, not even if the Federal Government has broken its contract with you. The reason for this is that the Federal Government cannot be sued without its consent, and it rarely gives its consent. Furthermore, even should the Federal Government decide to break a contract, it is quite within its rights, as far as the Federal Constitution is concerned.

When the Constitution ordains that "no State shall . . . pass any bill of attainder, ex-post-facto law, or law impairing the obligation of contracts," it means that precisely. The tenth section of Article 1 imposes a limitation upon the States, but none upon the Federal Government. The citizen who wishes to sue the Federal Government, alleging a violation of contract, can obtain redress not as a matter of legal right, but, as Judge Woolsey held last Autumn in one of the gold cases, only "through an act of grace by the Government."

Since in the new regime the contacts of the Government with commerce and finance have been multiplied a thousandfold, the Government can well afford to be liberal in extending these acts of grace. Otherwise, as far as the Constitution is in question, the Government is free to violate contracts, and to do other things with impunity which would subject the citizen to fine and imprisonment. Since conduct of this sort would seriously impair the Government's credit, it may be supposed that the Government will walk circumspectly. It has been consistently

held by the Federal Courts that although the Government may take private property for public purposes, under its limited right of eminent domain, the question of just compensation is in every case a matter of judicial determination. If the citizen claims that the compensation offered is not just, his only course is to file an action before the Court of Claims, and years may elapse before the case can be heard.

No doubt, the provision that the Government cannot be sued without its consent was framed to give the Government proper immunity from vexatious litigation. But it is equally clear that this provision should not be enforced to the detriment of just claims. The protection asserted puts upon the Government the duty to waive a right, and to waive it readily, as often as the meanest citizen is wronged.

Dr. Pritchett Slips

AS is well known, this Review has long been in sympathy with the ideals which have been publicized by the Carnegie Foundation concerning the sound conduct of intercollegiate sports. Our Catholic colleges, too, have with few exceptions been thoroughly in accord, not only in theory but in practice. We find it all the more regrettable, therefore, that in its annual report the Foundation prints a few paragraphs from its president-emeritus, Henry S. Pritchett, entitled "A Slump in the Football Trade." It is to be expected that whatever good might have been accomplished in the past by the Foundation's campaign for a saner outlook on football will be completely nullified by this sarcastic and ill-founded tirade, largely directed against Notre Dame.

Dr. Pritchett asks if "Notre Dame would demand and receive a larger guarantee" from Harvard "than a team from Johns Hopkins and Columbia." The answer, at least as regards Columbia, is, of course, no; and if Dr. Pritchett kept up with recent events he would have known that. Then, fumbling a bit with his grammar, he compares football with German dueling, to the credit of dueling, and speaks of the publicity accruing "when the Notre Dame team travels to the Pacific Coast . . . and stops en route in Arizona for mysterious practice." Again Columbia rises up to refute him; and Columbia is for him one of the great intellectual institutions. He might have been a little realistic. It would have given him a case.

The acting President of Notre Dame, Father John O'Hara, lost not a day in meeting Dr. Pritchett's challenge. "It would be a real contribution to education in the United States," sarcastically remarked the president-emeritus, "if these two institutions [Notre Dame and Southern California] would indicate how far the profits of their football business are used in supporting their educational activities, and still more important if they would indicate the relation of the football industry to the intellectual life." Father O'Hara, ignoring the question begging of the last phrase, promptly answered the first: the proportion, he said, is eighty per cent. "Of the \$4,000,000 taken in during the last twelve years," only twenty per cent was devoted to athletic purposes."

Just why Dr. Pritchett singled out Notre Dame for his biting remarks, and ignored instances far more fitted for his purposes, of conditions existing in great institutions in the East, for instance, is not clear. But he and his colleagues must learn that even in a good cause one must first be sure of one's facts and deal in equitable measure with everybody.

Note and Comment

The Doll Makers Strike!

IN the midst of many and varied strikes, some old, some new, some large, some small, the city of New York is now entertaining a strike which is decidedly novel. On February 19, the members of the Doll Workers Union, affiliated with the American Federation of Labor, went on strike, to protest against the National Toy Manufacturers Association which refused to renew a contract. At least, the strike was ordered on February 17, but as no picketing was reported by the newspapers on February 20, and as the police seemed to maintain their usual calm on that day, perhaps the strike did not come off after all. Under the contract which expired on February 1, union members received \$1.05 per hour, if they were skilled workers, and there was a minimum of \$14 per week of thirty-six hours for all employees. The Manufacturers Association, according to the doll workers, are trying to force a contract which establishes a forty-hour week, and a minimum of \$13. It is fortunate that a strike of this description falls under the jurisdiction of that estimable lady, Miss Perkins, for she, quite probably, will insist that little Mary Jane and Elizabeth Anne be retained as consultants to the board of arbitration. It is inconceivable that they should be deprived of their dolls; it is also inconceivable that the doll workers should be deprived of a living wage.

Motion-Picture Advertising

THOSE who make it a practice to scan the daily moving-picture advertisements displayed in the New York newspapers must for the past month or so have experienced a pleasurable sensation of relief. The old exploitation of lasciviousness, hinted at or openly blazoned, is gone. The promise of evil to be presented in pictures has been suppressed. In their place has come a new style in presentation that loses none of the best selling appeal, and yet makes the advertising pages of the newspapers look less like those of a cheap penny sheet than they used to look. What has happened? Have the papers themselves conspired to censor their advertising at last in the interests of decency? Not at all. The moving-picture people have at last waked up to the fact that there is on foot in the land a deep and indeed unconquerable repugnance to the disgusting and low-minded type of copy writing that was considered the essential method to bring people out to see even pictures that in themselves had no

salacious appeal. Some two months ago the Hays office appointed J. J. McCarthy as supervisor of all advertising of motion pictures, at 28 West 44th Street, New York. Mr. McCarthy set to work at once and vigorously, and it is a pleasure to report that he has met a large measure of success in New York. It is also related to us that his control extends to other cities also. Protests to him from them have met immediate response. It is true that certain pictures previously made and with advertising already prepared are still exploiting evil in their copy; and it is good to know that we can expect still better results when these are out of the way. The curious part of it is that though all this was done in the name of morality, it has resulted in what experienced advertising men agree is a vastly superior and more efficient type of copy. Print and white space have always had a better appeal than constantly repeated pictures. It seems that the copy writers in the industry did not even know their own business.

The Church Racket

BUSINESS! Business! Even if you are a lawyer, you cannot succeed unless you get business. Clients make business. New friends make clients. New contacts make friends. Hence, young lawyers ought to meet people. They ought to join clubs, hook up with Chambers of Commerce. They ought to take a prominent part in civic affairs, convince the world that they are public-spirited fellows, get their names in the newspapers. This was the Polonius-like advice of Earl W. Evans, president of the American Bar Association, in speaking to the Harvard law students recently on "Things Not Taught in Law School." And somewhere in his speech the jurist added this deeply religious counsel: "Go to church, even if it is hard to take. You'll meet a lot of nice people there. It isn't so important for you to see them as for them to see you. Now that's called the church racket, but what of it, as long as you're getting business in a quiet, genteel way?" Well, that is the sort of advice that gives this column a pain in the neck. Obviously there were some things not taught in the law school that Mr. Evans attended, one of them being the rather fundamental truth that church is a place to worship God, not a place to contact new customers. One wonders if the president of the Bar Association ever happened to read St. Matthew's twenty-first chapter. Despite all this present-day talk of money-changers, Mr. Evans has plainly forgotten that Christ drove a lot of business men out of the temple, too—among them some nice people engaged in nothing more violent than the sale of doves. Christ asserted pretty vigorously that the temple was solely a house of prayer, and He did not seem to relish the church racket—in which (to quote our jurist) a man can "get business in a quiet, genteel way." The Gospel goes on to tell that one group found Christ's objections rather hard to take and "were moved with indignation." Perhaps Mr. Evans will be shocked to hear of it, but ironically enough this group was composed only of lawyers.

The Beauty of God's House

IN his Lenten Pastoral Letter, Archbishop Glennon, of St. Louis, writes of our duty to make all our churches "still more worthy of His presence in them." The Archbishop observes that in some churches, the altars are not correctly constructed, and that in others the windows "have long since ceased to be works of art (if they ever were) and instead of serving to adorn, disfigure the house of God." In the ages of Faith, the Archbishop points out, priests and people, artists and artisans, vied with one another in building glorious churches, and refused to be satisfied with mediocrity where the beauty of God's house was concerned. That strange genius, Joris-Karl Huysmans, used to say that most modern churches, and all their furnishings, were the work of Satan, and he would seriously argue that the Prince of Evil inspired the statues found in the French churches, to shake the faith of the pious beholder, and to move the less pious to profane language. We need not go all the way with Huysmans, but it is pretty clear that very many American churches are the work of men who knew little of art, and even less of the Liturgy. We have been accustomed to plead our poverty as an excuse, but, as Archbishop Glennon writes, "often it is not so much money that is required, as good will, and above all, good taste. The smallest churches, and the churches in the poorest circumstances financially, can be made beautiful, and can be properly furnished." They can also be kept spotlessly clean. In his "Recollections of the Last Four Popes," Cardinal Wiseman tells how Leo XII once paid an unexpected visit to a monastic establishment in Rome. When, as he took his departure, the brethren delicately hinted that a memorial of the visit would be acceptable, the Pope said, "I have already left one." "Where, Holy Father?" they anxiously inquired. "On the priedieu in the chapel." On examining the priedieu, it was found that the Pontiff had traced in the dust which covered that piece of furniture, "Leo XII." But not all the churches in which dust gathers are at Rome.

Pilgrims' Progress

ON January 25 the Maryland Pilgrims, northward journeying, came to the Island of Montserrat, where, says Father White, "there is a noble plantation of Irish Catholics whome the virginians would not suffer to live with them because of their religion." They came to Virginia "February the 27th." There they "staid 8 or 9 daies not without imminent daunger, under Commande of the Castle, and then on the 3 of March came into Chesapeake Bay, at the mouth of Patomecke." They were tremendously impressed by the botanical curiosities of the Barbadoes, such as the "sensible plant"; but were also gratified to learn that a special edition of the *Messenger of the Sacred Heart* (March, 1934, issue) was being published in their honor. The result is a triumph of the illustrative and typographical art which have made this most widespread of Catholic devotional periodicals famous. Two celebrated historical paintings, relative to the found-

ing of Maryland, are reproduced in colors; and there are contributions by Father Coleman Nevils, S.J., Rector of Georgetown University, Father L. K. Patterson, S.J., Professor of History at Fordham University, and others. Fifteen copies are being offered for a dollar, obtainable at 503 East Fordham Road, New York City; and provide material for every parish to celebrate worthily the Tercentennial of Maryland. On February 1, Judge J. Moss Ives, of Danbury, Conn., lecturing at Loyola College, Baltimore, demonstrated convincingly what has heretofore been a "missing link" in American colonial history: the connection of ideas and influence between the Baltimores of founding fame, and the Carrolls, of Revolutionary greatness. Judge Ives' studies of the life and doings of Daniel Carroll gave him the clue.

The Night Watch

NO spiritual occurrence appeals more to the imagination, none more effectively refutes the cry of alarm that "religion is on the wane," than the fact of the extraordinary vitality of nocturnal adoration of the Blessed Sacrament in the great city. Figures, otherwise so cold, in this instance breathe an unwonted life: a mystic mathematics that tells a secret only to indicate new secrets that this life can never reveal. A report has recently been issued for the year 1933 by the Nocturnal Adoration Society in New York. During this period there were spent by busy laymen: in Manhattan, 4,603; in Brooklyn, 5,658; in Queens, 3,532; in the Bronx, 4,526 hours of adoration; a total of 18,319 hours of nocturnal prayer for Greater New York. Add to this the time taken journeying to and from the church, in all seasons of the year, in all weathers. Almost every Saturday night of the year the exercises are conducted in one or other center. In Paris, writes the correspondent of the N.C.W.C., men spent 43,500 hours of adoration (night and day), in the Basilica of the Sacred Heart on Montmartre, from October, 1932, to October, 1933. In London, the speakers for the Catholic Evidence Guild spend an hour in adoration for every hour they spend in public discourse. Despite a million obstacles and the glare, and bitterness of a greedy world, grace makes its quiet headway while saving those who live in that world from the destruction that otherwise would overtake them.

AMERICA A-CATHOLIC-REVIEW-OF-THE-WEEK

WILFRID PARSONS
Editor-in-Chief
PAUL L. BLAKELY FRANCIS X. TALBOT JOHN LAFARGE
GERARD B. DONNELLY FLORENCE D. SULLIVAN DANIEL BASSETT
Associate Editors
FRANCIS P. LEBUFFE, Business Manager

SUBSCRIPTION POSTPAID
United States, 10 cents a copy; yearly, \$4.00
Canada, \$4.50 - - - - Europe, \$5.00

Addresses:
Publication Office, 461 Eighth Avenue, New York, N. Y., U. S. A.
Telephone: MEdallion 3-3082
Editors' Office, 329 West 108th Street, New York, N. Y.
CABLE ADDRESS: CATHREVIEW
Stamps should be sent for the return of rejected manuscripts.

The Law's Delay and Its Consequences

I. MAURICE WORMSER

A QUARTER century ago President Taft, subsequently Chief Justice of the United States, said: "If one were asked in which respect we had fallen furthest short of ideal conditions in our whole government, I think we would be justified in answering, that it is in our failure to secure expedition and thoroughness in the enforcement of public and private rights in our courts."

These words are as true (more so, if possible) today as when they were uttered. The shocking delays of litigation, the aggravated maze of technicalities, the inordinate cost, the over-complicated and uncoordinated system of judicial organization, and the badly adjusted, ramshackle administrative machinery, bring about a deplorable denial of justice in many cases. So much so that a New York appellate justice recently warned a federation of bar associations that "unless something were done about the administration of justice the public would revolt."

Apart from the warmth of his words, even the legal profession and the bench cannot honestly deny that there exists a deep-rooted feeling of disgust on the part of sensible business men with the entire legal set-up; that the delays in civil actions are deplorable; that the slow and cumbersome maladministration of the criminal law mainly accounts for the disappearance of all fear of its penalties on the part of professional wrongdoers; that the scandals are unsavory and create a desire "to keep out of the courts" at any cost; that there has been no basic improvement in court organization, in New York at least, in over a generation; that our procedure is at least a century behind the present age; and that the juridical process itself has become so enmeshed in its own red tape and superabundant technicalities as to menace seriously the success of the "New Deal."

The law itself—the substantive law—in the main is reasonably satisfactory. It is the breakdown of our archaic procedure and superannuated court organization which is creating such menacing social and economic handicaps to a better life.

The gravest of the legal evils is the unfortunate calendar congestion existing in many of the courts throughout the country, and most notoriously in New York City. A lawyer's service bureau there reports that the approximate delays, as of December 1, 1933, are three years at general Trial Term of the City Court in New York County; four years in Kings County (Brooklyn) as to jury cases and three years as to non-jury cases; and three and one-half years in Bronx County. In the Supreme Court, New York County, it takes two and one-half years to reach an action at jury Trial Term; and three years in Kings County.

In the poor man's court—the Municipal Court—where small cases are tried and where surely justice should not lag or be hobbled, the delays are appalling. One

central-jury part (for tort actions) in Manhattan is two years behind; in one Bronx District the delay is two years; in Brooklyn two districts are two and one-half years in arrears with their jury cases; another district is three years behind. Such shameful delays in a court created for merchants' petty cases, for small tradesmen, for wage earners—for the "forgotten man," in a word—are an absolute denial of justice.

Can it not be seen instantly that such delays are conducive to the daily rising contempt for the courts and the legal process on the part of our sober and patient citizenry? Can it not be perceived that such processes and practices bring about a widespread disrespect of law, a threat to society, and a resultant increase in crime, lawlessness, misfeasance, and disregard of civil obligations and constitutional rights? Are such delays in the enforcement of natural rights likely to alleviate that which Pope Leo XIII so well describes in his epoch-making Encyclical Letter on Labor as "the misery and wretchedness pressing unjustly on such a large proportion of mankind"?

Little reflection is required to perceive the many serious social and economic effects of the law's delay. It is impossible to enumerate all these, but some of the more important may be mentioned.

Where the action involves money, the defendant has the advantage of a forced loan from the plaintiff during the period of two or three years before the case can be reached, for which the allowance of six per cent interest is, as a rule, no compensation. In effect, the delay results in a denial of due process of law, taking away a man's money from him without adequate redress. During the long interval of time which elapses, the defendant may have business reverses so that the judgment is a mere uncollectible scrap of paper, or he may dispose of his assets improperly, yet be within the law.

Economic injustice frequently follows upon lengthy delay. For example, where a tenant sues to recover a sum of money deposited with the landlord as security for his lease, and it is not held as a trust fund, the amount sued for may be dissipated, or the landlord, if incorporated, may be out of business entirely by the time the action is reached. Similar evils arise in all cases where the remedy of attachment is not available to the plaintiff.

In personal injury actions the consequences are more grave. Witnesses, due to the lapse of time, may die or disappear. In negligence actions, where the injured person is taken to a hospital, the interne attending the patient often has left the State by the time the action is reached for trial, and in such event even the identification of X-ray plates may be impossible. The memory of witnesses, moreover, is affected by the delay before the case is reached, for nothing is more fallible or uncertain than human recollection.

A crowded and clogged calendar creates a vicious circle. Defendants are not willing to settle actions when they know that their case will not be reached for a long period of time. This fact results in the further congestion of an already overburdened calendar. It discourages the settlement of meritorious claims. In turn, and as a direct consequence, the cost of operating our court system is increased. From the point of view of the defendant who has a meritorious defense, or who is being harassed by a spite suit, there is the constant threat of a lawsuit hanging over his head for many years. His credit may often be irreparably injured.

It is a well-known rule of law that a personal-injury action ordinarily terminates with the death of a party to it. Consequently, a lengthy delay frequently causes the loss of an entirely meritorious cause of action.

In complicated actions, requiring a large amount of study and preparation, the attorney who prepares the case and who is solely familiar with the intricate facts, may die during the years before the action is reached, thus causing great inconvenience and hardship, as well as additional expense, to the client.

The courts are reluctant to grant preferences, even though the plea is based on impecuniosity and the necessity of meeting current expenses. In the First Judicial Department of New York, it is well-nigh impossible to secure a "preference" in a negligence action, no matter how grave the injury and how necessitous the condition of the injured person. For instance, suppose that you, gentle reader, were run over negligently today and so gravely injured as to be incapacitated for further labor; suppose that your savings were used up within a year; suppose, further, that you are a married man with wife and children. You and your dependents would be helpless, possibly thrown out upon the street, destitute and homeless, because your negligence action, though absolutely meritorious, no matter how hard it was pressed, could not be reached for trial for approximately two to three years. The courts time and again have refused to grant a "preference," though the injured person and his dependents are destitute. A lawyer wrote me recently:

On August 10, 1930, the plaintiff was seriously injured while falling down a defective stairway. I promptly brought action against the owner. Issue was joined, and the case placed upon the calendar. I noticed in the *Law Journal* today (his letter is dated December 29, 1933) that the case is only on the Reserve Calendar for January, 1934, and will not be reached until some time in the early part of February. The plaintiff died this year and never had an opportunity to have her day in court, and as you know, unless the death can be attributed to the injury, the action abates.

Such a condition of affairs is unconscionable, works a great hardship, and must be terminated if we expect the layman to respect the legal system. Disrespect of the law and its methods invariably follows where the law's delay causes such hardship and injustice to a worthy litigant. These are a few of the serious consequences which have resulted from our social astigmatism in regard to procedural law reform. Elihu Root has said: "Every-

body knows that the vast network of highly technical rules of evidence and procedure which prevails in this country serves to tangle justice in the name of form. It is a disgrace to our profession. It is a disgrace to our law, and a disgrace to our institutions." Such strong language from a source so conservative speaks for itself.

It is obvious that a curative—not a mere palliative—must be found promptly. There are two possible remedies:

First: In order to meet the present emergency of grave congestion, the Legislature should give power, either to the Governor or to the Appellate Courts, to designate emergency referees for a term not to exceed one year, in order to clear up the calendars. These referees should be given the right to try non-jury actions with the same force and effect as if tried before a judge. This relief would enable the regular judges to devote their entire attention to the immediate disposition of jury cases. By the consent of the parties, though possibly not otherwise because of constitutional limitations, the referees could also try jury cases. Once and for all this would clear the heavily congested calendars and would get rid of the cobwebs of accumulated delays.

Secondly: In order to prevent similar congestion in the future, general procedural reform from top to bottom is essential. Business methods must be applied to law administration. In order to achieve this end, the advice of laymen is needed, especially the point of view of able business men, impatient with red tape and technicalities, who are accustomed to keep the ball rolling and to achieve efficient results promptly. Such business methods must be employed by the courts before any genuine good results can be achieved. The courts will have to learn to subordinate their archaic practices to public service, and their time-worn technicalities to the social needs of a twentieth-century community.

Can Language Be Organized?

JOHN LAFARGE, S.J.

ON July 26, 1915, Sir James Murray died, at the ripe age of seventy-eight. For over thirty-eight years he had been connected with the "New English Dictionary on Historical Principles," popularly called the Oxford Dictionary, and for thirty-three years of that time he had supplied copy to the printer without intermission.

The dictionary itself was completed in April, 1928. James A. H. Murray, who had been a master at Mill Hill School from 1870, and had already made his mark in philological studies, had been approached in April, 1876, by the firm of Macmillan with regard to a new dictionary, which would rival those of Webster and Worcester. The idea of this new dictionary had originated with Harper and Brothers of New York. Murray, however, succeeded in interesting the Philological Society, a British organization, in the project, since the Society had long entertained the idea of a new dictionary, as the result of a suggestion made by F. J. Furnivall to Dean Trench in May, 1857.

When the work was completed, it contained 15,487 pages; of which 7,207, or nearly half the entire work, were edited by Sir James Murray. The work was made feasible by the great number of collaborators and contributors, who furnished the innumerable examples with which every definition in this vast enterprise is verified. Some of these did yeomen's work. Thomas Austin furnished 165,000 examples, William Douglas, of London, 136,000; Rev. J. Pierson, of U. S. A., 46,000; Rev. B. Talbot, of U. S. A., 16,600. There was a small army of sub-editors and assistants.

The Supplement, containing also the Introduction and the Bibliography, for this monumental work, has recently appeared, a volume of 866 pages. It affords curious reading; and arouses certain thoughts.

The immense haul of verbal flotsam and jetsam that has been gathered up in this final letting down of the great net of scholarship and labor that the Oxford Dictionary represents, forms a sort of *reductio ad absurdum* of language. A fair proportion of the words therein contained are bona fide additions to the vocabulary of science, inventions, and technology. Such words as audion, radio-active, neon, etc., need no apology; nor do the countless new Greek derivatives, the homoeo-'s and iso-'s, etc., *ad infinitum*, in every branch of science. Then there are the words or combinations that have simply been forgotten in the earlier volumes: the inevitable *addenda* to any great work.

Apart from these necessary applicants for admission to the commonwealth of vocabulary, there is, however, an overwhelming rabble of the casual and even trivial. There are the numberless shades of colloquialism with their minute variants: attaboy, catty, cattish, cattishness, cattiness, chestnutty, Manhattanesse, booze, bootleg, bootlegger, bug, bughouse, zippy, and so indefinitely.

Barrelfuls of "Americanisms" appear in the big haul; some that we recognize as such; some that innocent Americans imagined to belong to the universal English language—if there is such an article. Claim-jumper, abalone, yup (for yep, for yus or yes), hillbilly, citified, belong to the prior category; citation (for merit), credits (scholastic ratings), limousine, board (horses), to the latter.

There is the bewildering addition of frankly foreign words: Bergschrund, Bertha (Busy Bertha), borné, chétive, Aberglaube, démenti, etc. And of proper nouns and adjectives ad lib: "Bradshaw," Bermudian, etc.

The most eloquent testimony, however, to the minuteness of reticulation characteristic of the Dictionary's lexicographical seine hauling is to be found in the amount of material provided by the compounds: such as brainstorms, brain-waves, bull-net, bull-puncher, bush-clad, bush-hook, cable-way, cattle king, cattle-bush, cattle ranch, etc., etc., by minute varieties of meaning in new combinations of old words; as creation (of a company), cream cake, listen in, line-up, etc.; again divided into genuine Westminsterish, "colonial" or some such, "Americanisms," etc.

In one instance a touch of sectarian finesse appears

to have crept in to the impartial pages of the Dictionary, where it is carefully explained, on page 168, that "English Catholics" are really "English Roman Catholics"; and that "old Catholics," in the sense of original, non-convert English Catholic families, was a term that arose after John Henry Newman's "secession." However, the London *Tablet* doubtless will take care of those idiosyncrasies.

Without any doubt the Supplement is a mirror, wherein one reads with startling accuracy just what has happened to our English language in the last fifteen or twenty years. Giving full allowance to what is logical and genuine, the general impression thereof is disorder: a vast confusion, motley of words, reflecting a similar confusion in the world of ideas and realities.

Every word represents, in a sense, a new invention: for language is man's oldest and most universal and necessary invention. So we see fulfilled in the case of language that same phenomenon which I undertook to point out some months ago as having occurred in the case of the mechanical or technical inventions for the diffusion of thought in the modern world; the radio, the screen, the press and the technical servants of the press: the invention, the technique, has been elaborated before the mind of modern man has been prepared to master it and render it serviceable to the public good.

This vast profusion of new terms or neologisms to express old and familiar things or attributes (cattishness, for instance, is as old as Troy) is impressive as illustrating the inventiveness of the human mind. (I was going to say limitless inventiveness, when I recollected that no genius yet has invented a simple and effective method of marking pocket-handkerchiefs for the wash.) But with all the profusion, you want order, coherence; and it is absent.

The French social philosopher, Gabriel Tarde, complained at the end of the last century that we had been allowing inventions to accumulate, without bringing any order into them. The technical achievements of the nineteenth century were, he thought, like a dictionary which was forever adding to its body a mass of particular expressions and definitions. But there was no synthesis in all this profusion, no coordination, no science. Says Tarde (*Lois d'Imitation*, page 206):

It is much easier to pile one novel expression upon another than to speak one's own language well, and so gradually to introduce grammatical improvements. It is easier to collect a mass of scientific observations and experiences than to apply to this collection theories that are general and well demonstrated.

Nor is the profusion of this Supplement alone a witness to the disorder which reigns in the field of man's oldest and newest invention: language. Beneath apparent order and simplicity lurk hidden depths of irrational complexity. What words seem simpler than our good "Saxon" monosyllables, put, set, get, etc.? Yet what more deceptive and difficult to explain? Wrote Dr. Murray as early as 1881:

In returning to me his last batch [of examples], Mr. Jacob mentioned to me that the division of the meanings of the verb *Set*, and the attempt to put them in satisfactory order, had occupied him over 40 hours. In examining his results, with 51 senses

of the simple verb, and 83 of phrases like set-out, set-off, set-down—134 divisions in all—I do not wonder at the time. I suspect that the Editor will have to give 40 more to it, for the language seems not to contain a more perplexing word than *Set*, which occupies more than two columns of Webster, and will probably fill three of our large quarto pages.

But, says the Introduction, when *Set* finally came to be done, more than thirty years later, it took nearer forty days than forty hours to digest the mass of examples; the word occupies a column more than eighteen pages of the Dictionary, and extends to 154 main divisions, the last of which (*set up*), "has so many subdivisions that it exhausts the letters of the alphabet and repeats the letters down to *rr*."

Suddenly, however, and because of man's technical inventions in the way of communication, he is confronted with the incredibly difficult task of "setting" this crazy house in order. The question of an international means of communication has brought the question to the fore; and national languages are found insufficient for the task. Says the eminent philologist, Edward Sapir:

It may shock the traditionalist to be told that we are rapidly getting to a point where our national languages are almost more of a hindrance than a help to clear thinking: yet how true this is

is significantly illustrated by the necessity that mathematics and symbolic logic have been under of developing their own systems of symbolism.

The question, again to use Sapir's expression, is whether language is to be our master or to become an obedient and willing servant.

The whole "set-up" that is revealed by the Oxford Dictionary and its Supplement cannot by any conceivable process be made international. Even if by a miracle this were achieved, the effort therein expended would be totally out of proportion to the benefit derived. And the same would doubtless apply to other national linguistic collections: for they all have their hinterland of subtleties, colloquialisms, and historical deposits. How make a selection, however, of what is of universal value? How adjust this shapeless mass to the needs of international communication? Only by organization, which means a selection and correlation of those ideas and expressions of ideas which are essential. Can this be done; and what progress has been made thereto? Since space has run out, and perhaps the reader's patience, I am reserving the answer to this question—if answer there be—to a future article.

Is Social Justice Good Business?

III. Consolidating the Gains

BASIL C. WALKER

TO "follow through" is the price of achievement. In war, a position taken must be held; in technical language, it must be "consolidated." In business, a market or product sold must be kept sold; provision must be made for continuance of the business developed. The same need for continued effort is true of a program for social justice in the economic world.

When it comes to consolidating the social and economic gains made by private enterprise under NRA, we encounter certain phases of the problem, with which only Governmental authority itself can or should be allowed to deal. These are the problems inherent in the monetary system and in international political and trade relations, together with their joint offspring, foreign exchange.

The monetary controversy has centered around the gold standard and various alternates to the gold standard: commodity dollar, managed currency, control of the gold content of the dollar, and other ideas, such as the respective alleged merits and demerits of inflation, reflation, and deflation. Unquestionably, an unsound money system can do more sweeping social and economic damage than a perfect banking and credit system could repair in a decade.

Nonetheless, an impartial observer, who examines these various programs of monetary reform, can hardly escape the conclusion that the advocates of each have decidedly exaggerated their importance. For example, the gold standard unquestionably worked quite well, as human institutions go, for many years. It is quite certain that many of the charges so bitterly directed at it, with much greater

accuracy should be directed at those who mismanaged it; who perverted the gold standard mechanism to uses for which it was never intended; who, in short, prostituted a delicately balanced machinery of international exchange to all sorts of private purposes, having little or no regard for the social consequence of those purposes.

However, no economic system has any virtue in itself. It can only be evaluated and dealt with in relation to its use and misuse. By this standard, it is undeniable that the gold standard has, under modern conditions, developed serious defects. Chief among these is, that the rigidity, which gave it strength, has seemed to favor the skilled and informed few. This same rigidity also unquestionably gave rise to a very insidious and dangerous concept. That was the idea that gold, in and by itself, possessed some strange and sacred attribute of power and value.

Laying aside entirely the question of deliberate and malicious manipulation, this dual concept of rigidity and unique value, gave to a small minority, having special skill, knowledge, foresight, and strategic position, an overwhelming advantage over the vast majority. The natural result of this situation, under the laissez-faire philosophy of economic life, was to facilitate, to an amazing degree, the concentration of great amounts of money or the control thereof.

Neither gold nor money is truly wealth. Notwithstanding this fact, under our present legal and financial mechanism, money can be used to control vast amounts of physical assets which are wealth; which are the very essen-

tials of existence itself for tens of millions of people.

In that fact lies what may well be the essence of President Roosevelt's monetary philosophy. At least potentially, *monetary control has become too dangerous to be left in private hands alone.*

The proposals of all sincere advocates of the various important schools of monetary management have certain merits. All of them have drawbacks, and some, even those possessing real merits, have dangers. It is not sufficiently recognized in these fiery debates, that the money question is not entirely or even predominantly economic. It is psychological, and that makes it political.

The plan embodied in the Gold Reserve Act of 1934, the Currency and Monetary Bill which became law on January 30, 1934, draws from several of the various plans. It is a better working expedient, under existing conditions, than any one of them would have been alone. Setting up the stabilization fund has not only created a useful financial tool for dealing with present world conditions. It may also be the first step toward a centralized banking organization, which will make social justice a working part of the banking and monetary policy of the nation.

The stabilization fund leads us squarely into the matter of foreign-exchange control. In no field of finance have the dangers of social irresponsibility been more evident than in the foreign-exchange markets. This is due to the extreme sensitiveness of those markets; to the almost hypnotic simplicity which a foreign-exchange rate bestows, in the public mind, upon exceedingly intricate operations; and to the terrific economic and monetary forces set in motion by those intricate operations.

Much more damage is done to the stability of foreign-exchange rates by private operations, than by deliberate governmental manipulation. However, the individuals, even when they can be identified, are quite usually beyond the territorial jurisdiction of the nation against whose currency their operations of the moment may be directed. This makes it imperative that the governments of all important financial and commercial nations, either directly or through their agencies, shall be able to throw against such individual operators a mobilized force greater than they can risk opposing, as a matter of financial prudence. This is the real origin of the equalization and the stabilization funds.

They can be a powerful aid to restored stability of foreign-exchange rates. In the past, these rates were not set by treaties, which would have involved the almost infinite complexities attendant upon reaching *a priori* a mutually satisfactory basis of exchange ratio between any two Powers, let alone between several. Foreign exchanges were, are, and, by their nature, must always be the naturally calculated mathematical ratio of exchange between various currencies, each established by its own government to meet its own national needs and ideas, with scant regard for the ideas of other nations.

The very act of defining, within reasonable limits, the value of an American dollar, solely as dictated by American interests, is a big step forward. In like manner, the English sovereign will finally be established primarily at

that level, which, rightly or wrongly (and even the highly esteemed British financial talent can err), seems best for England. True par of exchange between the dollar and sterling can then be determined, just as on January 31 it was determined as between the dollar and the French franc, the Swiss franc, the guilder, and the lira by the simple act of setting the value of an American dollar. We did not find it necessary to consult any of those Powers or to make an agreement with any of them.

Now that we have a co-ordinated policy and tool of our own, we certainly need no longer keep our monetary situation in a state of flux and fever, awaiting a probably unattainable agreement with Great Britain or any other Power as to a formal rate of stabilization. In the stabilization fund and in the Gold Reserve Act of 1934, a definite power has been placed in our President's hands, which should make it much easier for a British Government, with its usual sense of financial realities, to arrive at a working basis as to the sterling-dollar cross rate.

In that way, another practical application of social justice between entire nations can end that hurtling back and forth of huge amounts of liquid capital between the world's great money markets, which has wrecked banks, impoverished nations, destroyed trade, created and intensified unemployment. The abuses to which the free movement of international capital has become subject are more than scandalous; they are criminal. They are criminal, because the material damage done is only part of the fearful price exacted.

These fluctuating foreign-exchange rates and their apparent simplicity have given rise to the dangerous delusion that a depreciated currency is a trade advantage. This pernicious half-truth is a prolific breeder of international hatred and suspicion. It is really another phase of the old delusion that money is wealth, or that the raiment is more than the body.

The persistence of this false notion among various nations merely stimulates the active pressure for governmental participation in trade. The nations are no longer content to let this depreciated-currency idea work out its own inevitable retribution and re-stabilization. Responding to popular pressure, governments seek to nullify the supposed advantage of artificial means, such as embargoes, blocked accounts, special tariffs, exchange controls, and quota systems, which are sowing the dragon's teeth of economic warfare. That is a condition which, all too easily, can ripen into the hellish crop which the world reaped in 1914-1918, even without the final step of direct governmental conduct of foreign trade, as exemplified by Amtorg in New York acting for the Russian Government, its sole owner, as a principal.

Within Russia itself, all foreign trade is a monopoly of the Government. Individuals or corporations deal with a sovereign Power controlling one of the vastest economic units in the world. Naturally, they look to their own Governments as the only worthwhile counterpoise to such concentrated political and economic power. How readily this can involve national policy in the exigencies of private trade, was recently and strikingly shown by the political

tension aroused between Russia and England over certain employes in Moscow of the English Vickers company.

Without accepting the Marxian philosophy, as realists we can readily see that very materialistic economics are at the root of many vital international policies. We have seen a determined Germany treat American bondholders very high-handedly. We have seen a relatively weak Russia, highly centralized, shrewdly play the various great Powers against each other and, by a brilliant use of economic weapons, pursue an almost uniformly successful foreign policy for a decade and a half.

These things are foreign policy in the modern age. It is not something mysterious, remote, a pastime of silk-hatted or brilliantly uniformed diplomats; but a matter of defaulted foreign bonds, called frozen assets when the local bank closes on Main Street; lost savings, lost jobs for the average man, to say nothing of the danger of the all-embracing sweep of modern war. To protect those jobs, to avoid that war, no better, no more realistic weapon is at hand, or can be forged, than a sound national unity based

on social justice in industry, finance, and business at home.

Laissez-faire is still with us in the international field. There it has reached the logical end of the road of unlimited competition: economic warfare under the conditions of an armed truce. Laissez-faire is, in reality, the rule of the strong. With powerful economic weapons, as a nation we can not only practise justice ourselves, but make its practice by other nations eminently prudent.

NRA is industry. Industry relies on banking. Banking is inextricably involved with money, credit, and industrial prosperity. Money and credit dominate finance and foreign exchange, which influence trade policies and markets, both domestic and foreign, where industry must sell its products to pay its workers. Finally, markets and trade policies are guide posts on the crossroads which lead to peace or war. Through them all runs the unvarying truth: Fair dealing is profitable; social justice is sound economics. The reverse is economic disaster.

In short, real, honest social justice is neither philanthropy nor a pious hope. It is *good business*.

German Catholics a Century Ago

JOSEPH T. DURKIN, S.J.

DOMINATION of the German Protestant Church by the Nazi Government has forced that Church into schism. Reichbishop Mueller is being opposed by a considerable party of his clergy and laity, who resent his execution of the Government's program of a "liberal" and purely German Protestantism. It is interesting to compare this situation with a similar one of a hundred years ago, when a Prussian Government attempted to exercise such a control over the Catholic Church, but with different results.

Like Hitler today, Frederick William III, in the first quarter of the last century, wished the churches to serve the cause of political unification. It was his aim that they should be under the dictation of the State. Unlike Hitler, he extended his plan to include also the Catholics. His ideal was that all religious bodies should be merged in what would be effectively a State Church, with the State as its only supreme head. The interest of the parallel between the two situations lies in this: that, while the contemporary attempt produced a split in the German Protestant ranks, the consequences of the earlier campaign against the Catholic Church were quite the opposite—the forcing of that Church into a closer unity between its bishops, its laity, and the Pope. It is worth while considering what was the reason for such disparate effects of the same substantial policy.

The Prussian program of national consolidation was, in many respects, like the Hitler drive for an intensified national life. It was a forecast of the Nazi philosophy in its insistence on a powerfully centralized State, suffering no recalcitrance from minorities. It sought to dominate the intellectual life of the nation. There were to be no outside loyalties, as, for instance, any kind of allegiance to a

non-German power like the Pope. There was to be one only passion in the hearts of the people—the glory of Prussia. Such distractions as supernatural religion and organized worship were not to be permitted to hinder the State on her road to national greatness. In accord with these ends, the teaching of the Hermesian doctrines in the theological schools was encouraged, and given an official consecration by the Government. For Hermesianism was rationalistic, and hence not enfeoffed to Rome, and free from the inconveniences attached to Roman doctrines; it was humanistic, in the Pelagian sense, hence more in harmony with the ideal of the Prussian superman, moulding a State which was one day to rule Europe; and—a very important point—the Hermesian professors were usually more responsive to Government suggestions regarding the teaching of theology. Like the Nazi "State Protestants" of today, the Hermesians had the same tendency to de-supernaturalize and re-edit the Holy Scriptures, and to humanize Christ so as to bring Him more into harmony with the ideal of the militant, all-conquering Prussian.

The crisis came in 1825, with the controversy over the mixed marriages. It was this issue which, first, revealed the weakness of the position of the German Catholic hierarchy, but which, ultimately, enabled a few bolder Bishops to find a way of successful resistance to the State's demands in religious matters. Berlin had hoped that the controversy would be the occasion of a tightening of her hold on the Catholic Church, and for a time it seemed as though that would be the case. Yet, as the sequel showed, the mixed-marriage struggle was a test case which united the German Catholics as probably nothing else could have done.

The contest began with Frederick William's decree of

August 17, 1825, obliging the offspring of marriages between a Catholic and a Protestant to be raised in the religion of the father. In this apparently innocuous legislation was concealed a very definite danger for the Catholics. For, in the great majority of instances, the father would be a Protestant who had immigrated into a Catholic district; so that the law was an effective means of Protestant proselyting. It might be compared to the Nazi measures of discrimination against the Jews, and the campaign for an all-Aryan population. Certainly it aimed at a radical diminution of the Catholic element in the country; and, if unchallenged by the Church, it would set a precedent for further Erastian aggressions. For the most perilous aspect of the measure was that, on several counts, it was in clear opposition to the Canon Law of the Church. The question was, would the Church permit this encroachment on her right to legislate in a matter vitally religious?

At this time the German episcopate was strongly attached to the theories of Nicholas Hontheim, alias Febronius, who had taught that the Bishop, within his own diocese, was independent of Rome, and subject to no control by Rome. By the logic of these principles of episcopal autonomy *vis-à-vis* the Pope, the Bishops were persuaded to fight their battle alone. Any appeal to Rome for support, they felt, would be a repudiation of the doctrine of episcopal self-sufficiency. They feared that to entrust themselves to Rome's protection would give the Pope an opportunity for ingressions upon their own episcopal jurisdiction. The Bishops, then, determined to carry on the defense of the Church without seeking aid from the Holy See.

In the face of the Edict of 1825, they first temporized. They were not desirous of irritating the Government any more than was necessary. They nursed the hope that, in time, either the State would soften its demands, or the Church find a way of graceful compromise. In any event, they felt their inability to oppose a Government as powerful and determined as Prussia. Their embarrassment was increased by the vigorous Brief of Pius VIII, in March, 1830, insisting that the Church's law regarding mixed marriages be strictly applied. The Berlin officials refused to budge from their position, and continued to put pressure upon the Bishops.

At this stage of the contest all seemed to favor the cause of the State. The Bishops appeared to be slowly retreating all along the line. From Archbishop Von Spiegel, metropolitan of Cologne, the Government secured an agreement which was signed by the rest of the Hierarchy in June of 1834. This agreement professed to be an interpretation of the Brief of Pius VIII, but in reality it nullified it on all essential points. The Bishops, in effect, accepted the terms of the Edict of 1825. An impartial observer would have said, at that time, that the Catholic Church in Prussia was a State-controlled body, enjoying no real independence in matters spiritual.

Then came a definite change in the situation. Von Spiegel had died, and a new Archbishop was needed for Cologne. The Prussian Government, according to cus-

tom, instructed the Chapter of Cologne to appoint Clement-Augustus von Droste-Vischering, at that time Coadjutor-Bishop of Munster. The Chapter, also according to custom, obediently complied. The action is not without its irony, for Droste-Vischering, although the Government's choice, was destined to be an enduring thorn in the side of Berlin.

The new Archbishop was already an old man, in poor health, and the Government had no reason to feel that there would be any difficulty in managing him. However, from the very start, Vischering began to play an unexpected part in the drama. He assumed an attitude quite different from that of his brothers in the episcopate. When the State demanded that he subscribe to the Agreement of 1834, he did so with the significant reservation, "conformably to the Brief of Pius VIII." That was a decidedly new note to strike. Bishops in Prussia had not been wont to speak like that. A bishop basing his policy on instructions from Rome! The Government was nettled, but, as yet, not seriously alarmed.

Clement-Augustus then proceeded to details. He submitted to a thorough examination the Brief of Pius, the Agreement of 1834, and the prohibitions of Gregory XVI with regard to Hermesianism. And it took him little time to conclude that it was impossible for him to approve the Agreement, and that he could not disregard the injunctions of the Pope to oppose the Hermesian teachings. These conclusions he communicated at once to the Government. Perhaps for the first time in the contest, a bishop was openly charting his course on Roman directions.

The Government was now thoroughly aroused. This feeble old man was beginning to constitute an exceedingly troublesome problem. The Archbishop of Cologne refused all debating of the issue. "There," he said simply, "is the Brief of Pius; there is the instruction of Gregory. I shall not discuss them; I shall enforce them." Berlin had a retort prepared: on the evening of November 20, 1837, Droste-Vischering was arrested and removed to the fortified garrison of Minden. He was charged with violating the laws of Prussia, and particularly the Marriage Law of 1825.

But, even then, the Government was beginning to realize slowly that the tide was on the turn; that behind the imprisoned Archbishop there was crystallizing an opinion that would eventually win for the Church her freedom. While the rest of the Hierarchy were still timid, the Catholic laity, on the contrary, were bold in their protests against the Government's attitude and acts. The Rhineland was shocked at the measures taken against their Archbishop, and the people's outcries caused no small anxiety at Berlin. This anxiety was augmented by a prominent feature of this popular agitation—the people's confidence in the Pope as protector of the Church in Prussia. To inject that powerful third party into the situation was, in the Government's eyes, bad, very bad. Rome had always been troublesome to handle, and constitutionally stubborn.

The Catholics' trust in the Holy See was not misplaced. Gregory XVI, in a Consistory of December 10, addressed

to the Prussian Government a solemn protest. The Pope's voice resounded throughout the Continent. He insisted that the Brief on mixed marriages and that against the Hermesians be enforced in their full rigor. He declared that the Government had violated the sacred episcopal rights of the Archbishop of Cologne, and that his forcible removal from his See was an act of high injustice.

This protest had a tremendous effect on the German Catholics. The laity, and especially their journalist leaders, were encouraged by Gregory's strong words to intensify their expressions of displeasure against the State. But—what was much more important—the Bishops, heartened by the support from Rome, became more conscious of their power as spiritual heads, and began to adopt a bolder attitude in defense of their episcopal rights. It began to dawn on them that, with Papal support, they were strong enough to resist the State. Convinced that they had this support, they ceased to retreat before the attacks of the Government, and presented a solid front in defense of the Church. On the other hand, the State was

genuinely worried. It was one thing to keep in line a German Hierarchy, but quite another to oppose a Pontiff whose protest was raising indignation against Prussia in every nation of Europe. And this Pontiff regarded as done to himself any injury done to his bishops!

The story of the gradual triumph of the Catholic cause is interesting, but it will be enough to note here the final settlement, concluded in the succeeding reign of Frederick William IV, in 1841. By this agreement the State formally recognized all the Papal claims relative to the mixed marriages. It further promised to give no support to the Hermesian teachings; it pledged itself to refrain from all interference with religious legislation; it guaranteed, in a word, the independence of the Catholic Church in Prussia in all matters pertaining to the Church's sphere.

Without attempting to draw too definite a conclusion, this much may be said: The German Catholics, in defending themselves in 1834, had a Power on their side which the German Protestants of today do not possess. Perhaps it was this advantage which made the difference.

Education

Catholic Authors and the Catholic College

ROSEMARY SHAUGHNESSY

A UNIQUE means of cultivating an audience of interested readers of modern Catholic literature, especially of the more potent type, which has the strength that emanates from vital and uncompromising Catholicism, rather than of the sentimental, half-hearted writing of authors who undermine their art by veiling their Catholicism, is to be found in the Project of the Library of Webster College, Webster Groves, Mo. Here in this girls' school, the students are encouraged to develop a taste for the better sort of modern histories, biographies, essays, satires, novels, and poetry, through that most powerful of mediums—suggestion.

The purpose of this project is to honor living Catholic authors, for, to quote Father D. A. Lord, S. J., at whose suggestion the work was undertaken, "we sometimes honor the dead beyond measure and forget that the greater inspiration comes from the living." Its aim is to bring the students into close contact with the best Catholic writers of the day, to demonstrate forcibly the achievements in literature of Catholic writers, and to stimulate the students of the college not only to read the works of these writers, but also, perhaps, to emulate these leaders of the Catholic Revival by aspiring to the high standards of art, culture, and Faith, for which these present-day writers and leaders of world thought are awarded recognition.

Against the walls, near the main entrance to the Webster College Library, are long glass cases which contain photographs and letters of living Catholic authors. Here, face to face, as it were, with the students, are men and women who have drawn deep from the inspiration of the true Faith; whose works shine with the touch of

genius and reflect the ageless, changeless culture and beauty which emanate from the impregnable Church. Here are the men and women of our own time, Catholic leaders not only of modern Catholic but of world literature today. Here are the intellectuals, the artists, who are enthusiastically castigating the falling idols of the pagan pre-War and post-War world, and replacing them with the ideals for which the Cross is the symbol. This collection belonging to the Webster College Library is notable for its uniqueness, for its attractiveness to the connoisseur of famous autographs, to the bibliophile; for the authors, informed of the purpose of the collection, have sent in response to the requests, photographs, (and even snapshots!), letters, and parts of original manuscripts, many of which are written by hand.

The personal records and actual comments of these renowned men and women in the Webster College "Gallery of Living Catholic Authors" should be a large factor in carrying forward its purpose, because of the intimate atmosphere it creates of personal contact between writer and reader. Here the student can see an autographed pencil sketch of the genial G. K. Chesterton, the black-edged, hurriedly written letter of Hilaire Belloc, the almost illegible scrawl that is Bruce Marshall's handwriting, a preview of "Pageant of Life" by its author, the Rev. Owen Francis Dudley, and pictures and letters from Dr. Frank Spearman, Sigrid Undset, Montgomery Carmichael, Christopher Hollis, Carlton Hayes, Agnes Repplier, and many other writers, famous both in Europe and in America. And in close connection with the "Gallery" itself, there is a section of the Library specially devoted to the works of these writers. Moreover their

biographies and bibliographies are easily accessible to interested students.

Some of the letters on exhibition are breezy; others brief and business-like; some are grave replies, while others are highly amusing; and some are inspiring indeed.

The idea of sending a photograph almost alarmed many of those whom the librarian addressed. Shane Leslie writes: "... but you will find photographs disappointing. You know the rule; if you like a book, never try to see the writer! ... I am told that the mummy of Rameses II in the Museum at Cairo looks more like me than any later negative."

Father Ronald Knox, before sending a picture, enclosed in one of his letters a caricature of himself entitled, "Hard Knox." It was taken from a Sheed and Ward catalogue, and is a sketch of a priest pugilistically scattering about several uncomfortable-looking gentlemen, whose literary crowns he has carelessly shaken from their oversized heads. The priest so maligned by the cartoon, says mildly of it, "The attitude isn't at all characteristic of me—except when I am asked for a photograph." But the English apologist did later relent, and sent an autographed picture of himself, of which he says: "Found by sheer luck. It is not like anybody as far as I know."

Enid Dinnis, the English mystic, adds a delightfully human touch to her letter when she complains of her picture, "It is not in the *Least* like me!"

A few of the European writers replied in their native language. Jacques Maritain writes, "... certainement je serai heureux de coopérer à votre oeuvre si intéressante." The letters of Dr. Peter Wust, written in German script, are of particular interest to the students of German. Mme. Sigrid Undset, however, replied in smooth and unstilted English.

Many of the writers who responded to the idea of the collection were decidedly interested in its possibilities with regard to its effect on the college student. Father Martindale expressed himself at length on this point. He says in part:

One advantage of having so great a number of different writers as I hope you will have, is that your students will have many different sorts of books to read, and so, they will not run the risk of being tied down to one or two, and so, they are less likely to imitate! They will have ideas in their own heads and they may try to express these in the most sincere, direct, un-affected language possible; and if they do that they are sure to write well.

Christopher Dawson, English writer, sociologist, and editor of the "Essays in Order," writes in the same vein:

I believe that the time has come for a much closer intellectual contact between Catholics than has existed in the past. We need an international Catholic culture to meet the international challenge of secularism, and if such a culture is to be created, it is clear that the co-operation between educated Catholics in America and Europe is one of its essential conditions. We in England know far too little of Catholic life and thought in America, and it is encouraging to know that you are taking so much interest in the movement of Catholic thought in this country.

There is a tone of appreciation for the recognition of their work which pervades many of the letters of these Catholic authors and in their personal expression of their gratitude, they sound an appeal that is replete with glow-

ing inspiration and exhilarating encouragement to the ambitious Catholic student.

Helen Parry Eden, English poet, says: "For myself, who count some of my most inspiring readers among Americans (for the right readers *are* inspiring, let advocates of mere self-expression say what they will!), it is a joy to think of meeting new friends."

Alice Curtayne's letter enlarges on this theme:

I see much possible good accruing from an endeavor such as yours [writes the Irish author]. Besides bringing your students into immediate contact with the best minds in contemporary Catholic literature, it may inspire them too, to follow on the same straight path. But what I would most hope is this: that such cooperation might hasten the recognition of the last-comers in our ranks, not necessarily the youngest among us but the youngest in output; those who have not yet struggled through the barrier which publishers and editors erect between such beginners and an expectant public. Posthumous glory, while being, of course, more desirable than oblivion, is not of much practical benefit to the obscure toiler whose vision is very often never translated into the concrete through the sheer paralysing effect of being totally unrecognized.

D. B. Wyndham Lewis, the English journalist, whose smooth satire, subtle wit, and brilliant style are so in evidence throughout his historical biographies, sustains the same note in his letter.

There can be hardly one among us who is not cheered and encouraged by the thought that in the difficult fight to do something towards restoring Catholic culture and philosophy in a crazy world, we have behind us the reserve battalions, as it were, of young writers and thinkers, the Catholic storm troops of the future. Moreover, I feel personally grateful for the opportunity you so kindly afford me, of being brought into intimate contact, as it were, with the members of your college.

The success of this project—this collection of letters, manuscripts, and pictures, with their stimulating effect on the beholder—is evident at Webster College, for it has interested the students in the achievements of Catholic writers to the extent of developing "Catholic readers" in the College. Another value of the collection may be gathered from the letter of Dr. Peter Guilday, who says: "The future historian of American Catholic literature will one day bless you and your students for the project of the 'Gallery of Living Writers'."

Sociology

Demas Hath Left Us

PAUL L. BLAKELY, S.J.

IT was in a melancholy mood that I read George Carver's contribution to this Review, "A Certain Politician," in the issue for February 17. Mr. Carver tells us of the black-and-tan resorts which flourish in this politician's bailiwick, but there are other evils, in some respects more deplorable, which he did not mention. Gambling houses of the meanest and lowest style flourish in the district. These regularly separate wage earners from their pitiful pay envelopes, leaving nothing for the rent, and nothing for food and clothing for the children. These are the mothers and children whom you see waiting patiently in the parish office for relief; not

infrequently you come upon the half-grown daughters, made desperate by this eternal grind of penury, lurking in the shadows in some disreputable district. You will also see this politician pretty regularly at the altar rails.

Now this is a shocking state of affairs, and we make it more shocking by trying to palliate it. Mr. Carver asks if this politician approaches the tribunal of penance "with his conscience as heavily burdened with his political crimes as it is with his private sins." I do not think that the man's conscience is burdened with either. Probably he submits to his confessor little beyond the dubious crime of occasionally saying his morning prayers without devotion. It is my honest belief that in order to have sufficient matter for absolution, the confessor is invariably obliged to ask him to mention some sin of his past life for which he is truly sorry.

What is the answer? It is simple. The man is a Catholic by the fact of baptism only. The external honor which he pays religion is the result of superstition, or it is a bid for votes. The deeds of his life flatly deny the Creed and the moral teachings of the Catholic Church. In morals, he is a self-centered anarchist, for according to his standard, whatever he wishes to do or to omit is right and proper.

I do not wonder that it takes him a long time to examine his conscience. It would take him a longer time to find it. Seared by passion, usually avarice, the poor thing has withdrawn to some inner fold of his being, and belongs to him only because by nature he is a rational being. Practically, it is lifeless. That inference flows not from his sacramental but from his unconscious confessions. He likes to tell you that he does not drink whiskey, but he protects or owns drinking hells specifically designed to lure others to drink to excess. He boasts that he is faithful to his marriage vow, but one of the sources of his growing wealth is a group of establishments dedicated to commercialized venery. He is proud of his patriotism, and his pride vindicates Sam Johnson's remark about the last refuge of a scoundrel, for the means whereby the man lives and waxes opulent are the very means that make good government impossible.

Let us forget for the moment, if we can, this bloated mass of shameless corruption. Not all the bad Catholics are politicians.

Some weeks ago, an old friend dropped in, and over our pipes he confessed that something was worrying him. He is an old bachelor (but not a crusty one, to be approached on peril of death before the morning coffee) and he has a godson to whom he has been a real father. The boy's parents died when the youngster was four or five, and for more than twenty years my friend has had, as he thought, a real son. Recently, a fluffy-haired teacher in a finishing school for girls has come into the picture, and the wedding bells will peal out in June. The news delighted my friend's heart, for the girl is a Catholic, and the match seemed in every way suitable. But . . . the girl will not hear of giving up her school. They are to live in an apartment, and there are to be no children for two or three years, at least. It is a story that is, I fear,

fatally common. It comes to me, at least, with sickening regularity.

To his grief, my friend knows that his godson has acquiesced in the plan. Worse, the boy argues that the deliberate purpose of practising contraception does not debar him or her from the Sacraments. Neither thinks it a sin; hence, neither will mention it at Confession. So-and-so and so-and-so (mentioning four or five young childless couples) never say anything about it, but go to the Sacraments pretty regularly, and so shall we. There was nothing hostile in the young man's attitude; in fact, he argued gently with my old friend, much as a mother might with a naughty child. But he is determined.

"Why not get him to talk to Father Jones?" I suggested. "The boy used to be very fond of him."

"He has talked to Father Jones, but I know he hasn't told him what he told me," was the gloomy answer. "He's engaged Father Jones to marry them."

It is not right to judge individual cases, and it is folly to draw general conclusions from only half a dozen. Yet when we know that the birthrate for the entire country is falling, and observe that many of the children of our contemporaries have only one child or none, inferences present themselves. As recently as ten years ago, it was admitted, even by the advocates of contraception, that this terrible practice was rarely found among Catholics. With what confidence, I wonder, can we affirm that contention today? Are these childless marriages to be accounted for by abstinence, or are they due to physical conditions beyond the control of either party? It is barely possible that we have become a sterile stock, doomed to extinction. But is it probable?

It was my good fortune to meet the late Cardinal Gibbons on two occasions. The first was at a convention many years ago when in his usual kindly fashion he referred to an article which I had written for this Review. The second was a year or two before his death, when I had brought him, at the request of the Editor of *AMERICA*, the late Rev. Richard H. Tierney, S.J., a collection of documents on the persecution in Mexico. Toward the end of my appointment, the Cardinal spoke of the old Know-Nothing atrocities and their modern counterparts engineered by the A. P. A. and the Klan. "I am not afraid of that sort of persecution," said the aged prelate, "but what fills me with apprehension is the Catholic man, not infrequently of civic prominence, who professes to be a Catholic, and whose life is at variance with everything for which the Church stands. It is not the Klan but the bad Catholic who hinders the progress of the Church in this country."

The statement was obvious, if you will, and older than the apologist who first wrote that the blood of martyrs was the seed of the Church. But it seems to me that the Cardinal said something that can hardly be repeated too often. We Catholics would hold up our heads in pride, I think, were the martyrdoms that are almost of daily occurrence in Mexico, even fairly common in New York, Chicago, San Francisco, and Pea Vine Center, Ark. But, unhappily, how often must we hang our

diminished heads in shame when instances of violently anti-Catholic conduct by "prominent" Catholics are retailed to us, sometimes with a spice of malice, by non-Catholic friends and neighbors! It is easy to retort that the wickedness of these men is condemned by Catholic teaching. But does the retort register when they know (and we know) that these men are "prominent" in Catholic societies and, often, "regular communicants"?

The Catholic Church is the Church of the sinner, and as long as men walk in this frail vesture of humanity, it must needs be that scandal cometh. But the prediction of Our Lord does not justify sloth in guarding against its effects, or bored indifference when we learn that another Judas has garnered his thirty pieces. Some day He will surely come and with His fan separate the wheat from the chaff. Until that day we must bear with these titular Catholics as best we may, knowing with St. Paul that those who with Demas love the world, like Demas must leave us.

With Scrip and Staff

WITH all the talk of the big Powers who are supposed to rule the world, it has come as shock that (present-day) little Austria can set them all by the ears. There is a fallacy in political size; for power may be achieved through small units in ways that are forbidden to the great. Suppose, for instance, that you control all the quinine in the world. There is hardly a living human being who at some time of his career—most men fairly frequently during life—has not had some need of that basic drug. There are hundreds of millions of people who are completely dependent upon quinine for their health, indeed for their lives. Yet all the quinine in the world is under the control of eleven men. And these men are Hollanders, who have their offices in Amsterdam, and form a board, the *Kina-Bureau*, made up of five elected cinchona planters, five elected manufacturers, and one gentleman who is chosen on a basis of strict impartiality. Says *Fortune*, the describer of business romance, in its February issue—whose word I am taking in this matter:

These eleven gentlemen operate, however, under a very strict code, the *Kina-Overeenkomst* (quinine convention), which contains in all some 208 articles, to say nothing of several supplements. More important than the details of this lengthy document is the flat fact that its operation controls all but a negligible fraction of the world's cinchona and quinine. Prices, discounts, territories, rebates for the difference in freight charges between bark and quinine, the percentage of quinine that the bark shall contain—all these and in fact all imaginably relevant matters are dictated by the Bureau. No manufacturer, no planter, is allowed to deviate from his agreed quota.

Java, where the world's crop is produced of cinchona bark (once called Jesuit's bark, and named from the Countess de Chinchón, wife of the Viceroy of Peru), belongs to the Dutch. So it all comes naturally. The Dutch have a large Government plantation in Java, 123 private Dutch plantations, and their 37,500 cinchona acres

yield more than 20,000,000 pounds of bark a year, "all the richest and almost all the usable bark on earth."

PERSONALLY I am not interested, save as a bed-time story, in where quinine comes from. Though, as a matter of history, I deplore that it was stolen away from its first home in South America. But I would be concerned if I were living in a tropical country, like so many of our Catholic missionaries, and were faced with the problem of providing it for thousands of poverty-stricken natives quaking with malaria. Particularly if I were engaged in the medical missions; and had the people besieging me for remedies. I should then be face to face with the problem that the writer in *Fortune* states in blunt language, the problem that "of the millions of malaria cases only one in ten can afford the Dutch-monopolized quinine." Against this state of things the United States and the League of Nations Health Committee have raised objections. They have represented the injustice of such a situation. But so far to no avail.

In answer to these objections the Dutch urge that they alone are able to assure the world of a steady supply of quinine; that it has provided quinine with little charge or even free to backward countries; and that "future supplies can be secured only so long as the price of bark is attractive to the Java growers." Says *Fortune*:

Against this hard-boiled defense the League offers the statement that the average annual operating profit of the private cinchona plantations is about 36 per cent. Rather more, the League implies, than would be necessary to induce a planter to remain in business.

Annual dividends have ranged from 12 to 120 per cent. The large Sedep plantation has, during the last nine years, twice paid dividends of 50 per cent, twice of 40 per cent, once of 45 per cent, once of 48 per cent. The lowest rate for the period was 20 per cent in 1931.

Well, the League of Nations—according to its *Monthly Summary* for October, 1932—is still pegging away at the problem. They are still planning for a "future conference on quinine," at which they may still try to beat the Dutch. In the meanwhile, they are investigating, as are chemists in this country, the possibilities of other cinchona products, which may cost less and do as much or more than quinine. But the fact remains that here is a crude and basic ethical problem. It is a projection on the world scale of the problem met by the New Deal: is private profit responsible to human society? And if so, how far? And who will say when the term is reached?

Father Coughlin is given a sympathetic and well-informed write-up in this same issue of *Fortune*, and the Belgium radium monopoly is described therein: opposites being joined. Some day Father might vary his economic fare by a discourse or two on quinine, opium monopolies, and such kindred affairs.

SINCE we are talking of the tropics, it may be well to remember that slavery, as well as malaria, is far from being a thing of the past. A Russian journalist, J. Kessel, recently startled Europe by his finds through some quiet wanderings around the shores of the Red Sea and the countries bordering thereon. He found the slave

traffic firmly established in Abyssinia; as well as carried on by the Arabs of the Hedjaz and Yemen. He collected human-document stories from the slaves. Lady Kathleen Simon estimated that Yemen contained as many as 700,000 slaves. The "pawn" system of Liberia has given scandal to investigators from this country. According to Joseph Folliet, in *Dossiers de l'Action Populaire* for December 25, 1933, "Burmah and some Indian States are not above all suspicion. China practises child slavery, particularly that of girls, called at Hong Kong the *mu-tsai*." The Negus Tafari of Abyssinia has never been able to suppress this abuse. Forced labor and peonage, slavery's cousin, exist on a much wider scale, on both sides of the globe.

Slavery is the reverse side of monopoly. Such matters can be handled only by governments, which so far have shown themselves proverbially weak. But they will be still weaker if we leave them in peace.

In the meanwhile, we continue to collect facts. Prof. William E. Atkins, of New York University, estimates that if all the gold in the world were melted together into one solid block, it would then measure 32.1 feet in each direction. This discovery must mean a lot to Professor Atkins, for he nearly got himself arrested while measuring the width of Wall Street with a tape measure, so as to see if he could fit into it his imaginary cube. But I have puzzled myself to think what the cube can mean for one. It would simply be a *very big* lump of gold. And what on earth would you do with it? Perhaps some day Professor Atkins can figure out how big a headache could be made for the Dutch Government by making it swallow all the quinine pills in the world.

THE PILGRIM.

Literature

Father Hudson, the Pioneering Editor

PATRICK J. CARROLL, C.S.C.

I DO not pretend to have known Father Hudson intimately; not in the sense of entering into his councils, going away from a chat in his room with all his mind. He rarely gave all his full mind to anybody. I remember him acting out his quiet life in a fourfold drama. And his character presentation seems different in each, yet with the same detached, shrinking essence permeating them all. He was an ascetic without harshness or hardness; a hermit who knew the movements of the world through the looking glass of newspaper and magazine; an editor whose blue-covered magazine held the culture, tone, sweetness of his mind; a spare, white-headed, scantily bearded man of reticent approach, with a sense of humor that rippled and was never loud.

When it is said Father Hudson was an ascetic, it is not meant he was a man who gave long periods to prayer and retired into his cell to apply to himself traditional physical penances. He may have done so, but he would look pained if you hinted any such suspicion. He stole into the chapel to pray quietly, and went about in the dusk

talking to the Blessed Virgin through his beads. They served somewhat the purpose of a telephone to his Queen. He rarely talked what we call "pious" talk, keeping his piety within the seclusion of his thoughts. Consider him a religious man, but do not stress external evidences of piety.

He had the hermit soul. He loved his cell, or its modern substitute—his room. He had three rooms. One he worked in, reading Catholic papers, writing his "Notes and Remarks," appraising manuscripts. He had another room in which he slept; yet another where books were kept and where he worked sometimes, perhaps for a change. He liked company, if it were not numerous and talked of the things he liked. And he kept to himself for long periods, always with a pencil and pad.

He was exclusively editor of the *Ave Maria*. He was never in the administrative councils of Notre Dame by appointment, yet was frequently called into conference. He was considered wise, cautious, but not retreating; and often his advice, given not too insistently, was followed. When distinguished people came to the university, within which Father Hudson lived but never was a part of, it was the invariable custom to take them to see the editor of the *Ave Maria*. And without exception, the most permanent memory they took away was of a diminutive priest whose speech was low and penetrating. He preached on occasions in the college church. His preaching voice was high, persuasive, and suggestive of prophets, or announcers of crusades. He was a model for all church orators in this—he was never too long. Fifteen minutes served him fully for what he had to say. Frequently his theme was the Blessed Virgin; always the Blessed Virgin when he spoke on the closing night of May devotions.

As editor, he received letters from everybody. And he answered these letters in his own hand, never permitting himself to be swept out from his moorings on the efficiency wave of typewriter and secretary. His letters were often written on a card in a small, regular script; and his achievements in refusing manuscripts might well be inserted in manuals of diplomacy schools. Once he sent back some verses to this writer with this consoling bit, "You have done so much better, I know you will not want this to appear."

When you called, you often found him correcting proofs; perhaps he picked up the proofs when he heard you coming to indicate to you he was busy. Then if you succeeded in switching him into a siding which pleased him—Maurice Francis Egan's type of humor, Charles Warren Stoddard's spelling, Archbishop John Lancaster Spalding's resounding preachments on higher education—he could forget the main line.

Perhaps the most interesting side of Father Hudson was his humanness. To Col. William Hoynes of the Law School he went for recreational stimulus. The Colonel was of Johnsonian speech, Father Hudson rather leaned to Anglo-Saxon. The editor might assert adverse opinion of some political figure not in favor with the Colonel. "Eminently correct, Dr. Hudson!" Of evenings, too, Father Hudson would read clippings from authors, empha-

sizing telling points with voice and head motion. The man of law served somewhat the purpose of a Greek chorus. "A comprehensive, altogether telling indictment!" "Incomparable!" In Lent Father Hudson and the Colonel abstained from their simple, recreational exchanges in the Colonel's rooms out of consideration for the season.

Sometimes Father Hudson would enact the Colonel's particular rôle in the very presence of the Colonel himself. Thus one day, walking by, the Colonel carried a large, heavy stick.

"Colonel, are you afflicted with the pedal infirmities of declining years?"

"No, no, Dr. Hudson. It is merely a provisional weapon to ward off possible incursions of ill-natured canines."

Father Hudson took no interest in college sports, though he simulated interest. Likely he did so not to seem unusual. He expressed his awareness of what was going on in the playing field by asking some priest returning from a game of football, "Who won?"

"We won."

"Good!"

When the radio came to stay he seemed perplexed. He conversed freely in company with one or two, but did not seem to take to group conversation. When the radio entertained, everybody listened. He listened and wondered. And when it expressed itself as a gush of sound, as it did—and does—he looked at the instrument in a frightened way, as if it were a horror.

Of the secular papers he liked the New York *Sun* and frequently quoted it. Later, when the morning *Sun* was discontinued, he favored the *Herald Tribune*. The *Month* and the London *Tablet*, both published in England, were his favorite Catholic publications. Archbishop Spalding, Archbishop Ireland, Archbishop Keane, Archbishop Glennon, Bishop McQuade, Bishop McDevitt were among his friends in the American hierarchy, with all of whom he kept up correspondence. Of priests he frequently spoke of the Irish Jesuit, Father Matthew Russell, Father Walter Elliot, the Paulist; and many, many more. All his contributors were, so to speak, members of his literary family whom he held high by virtue of personal loyalty. Young writers he encouraged, without unduly flattering them.

He is known to have left his work and his rooms for an over-land journey only twice. The first occasion was to attend the funeral of Bishop McQuade; the second to visit the stricken Archbishop Spalding of Peoria. There is an oral tradition to the effect that he had to borrow a hat and a coat at each departure. Of evenings, very rarely, he went to the city with his friend, Colonel Hoynes. On one of these unusual town visits, I remember seeing himself and his friend—the Colonel rather larger than the average man, the editor rather smaller—sitting on two stools in an East Side drug store enjoying an ice-cream soda. A priest who was a helping editor for several years told me Father Hudson had a fondness for those high stools before lunch counters. He occupied one on a certain afternoon and ordered a lunch. It must have been a light

lunch, for the editor priest was an extremely light eater.

In the presbytery where he lived eggs in the shell were sometimes served for breakfast; a great many eggs in a deep dish. "Take one," someone said to Father Hudson. "Oh, no, no! They cannot be good—there are too many of them!" Perhaps he feared they were all laid by the same hen.

When someone suggested to Father Hudson that he write signed articles he made a very characteristic, deprecatory gesture with partly extended hands, palms out, "No, no! I'm not a writer. I'm just an editor." The reason for the *just before editor* is not so apparent. And yet he wrote with accuracy and fluency in his own right; and his modifications and suppressions in manuscripts made what others wrote more accurate and fluent. One woman testifies that when she noted certain changes in her stories printed in the *Ave Maria* every change made was a change for the better.

That part of Father Hudson which was Irish must have given him his liking for ghostly visitations. He reveled in ghost lore. One summer night I remember sitting with him on the steps of Science Hall. He drifted into ghost recitals. I, who was born where ghosts move and have their being, felt this snowy-haired American priest, his biretta at the little characteristic angle, could not stir any night frights in me. He went on and on in a quavering, musical voice in a quaint, detached seriousness, as if the incidents narrated were out of death into life. It was 11:30 when I suggested we go to our rooms. He seemed loath to go. I almost felt he was seeing spirits. And he looked not unlike a spirit himself. I was quite happy when I got back to my room that there was an electric switch just inside the door.

Father Hudson illustrates living in life, and yet not of life. He might have been a Trappist, yet even then he would want to see the world passing by. Not all the world, but that part of it he liked. And that part was the best part. He lived serenely, yet eagerly within his chosen aloofness. He had all the sweeter things of sanctity with very few of those uglier foreign substances that adhere to sanctity sometimes. Those who are external will say he did not live. He did live within a small physical world of his own making; but in a large world of ideas and ideals where his mind ranged within a wide compass.

REVIEWS

The Vatican: Yesterday—Today—Tomorrow. By GEORGE SELDES. New York: Harper and Brothers. \$3.75.

With the unexpected turn of events in the world and the noticeable change of viewpoint in men who are leading the destinies of nations particularly in the United States, intellectuals are turning back the pages of history to trace the uninterrupted life and unchanging policies of the Vatican. Modern historians as well as economists and sociologists are dissipating the smoke-screen which the bigotry of the Reformation wove about the Vatican and the Church. Even non-Catholics are frank in giving credit to the Papacy for leadership in most of the movements making for a better civilization. In the present volume Mr. Seldes presents a panorama of the history and inner workings of the Vatican, and traces its influence on the spiritual and political life of the world. It is not propaganda for or against this oldest

of "all great institutions"; it is rather the view of an outsider who has read history honestly and who has gone up to the real Vatican with an open mind and been convinced that historians of the past have misrepresented this august institution which has always been on the side of faith and morals and social justice, wonderfully strong and fearless in defending the spiritual sphere against the attacks of earthly princes, and truly humanitarian and merciful in caring for all mankind and in protecting the individual. The resumé of the past is most entertaining and instructive; the details of the present should be welcomed by Catholics who know too little of the workings of their own spiritual government; and the prophecy of the future makes it clear that the power and moral influence of the Vatican must be regarded as a prime factor in any serious efforts to reconstruct a civilization in which human and divine rights will be safeguarded, and peace and prosperity become the property of all instead of the few. There are many slips in the narrative, the Jesuits are singled out for excessive praise while the other Religious Orders are not adequately presented; Catholics will not approve of some of the attitudes; but on the whole it is a worthwhile book that should inform Catholics as well as those outside the Faith. It is an honest picture of a great force for all that is good; and students of modern affairs as well as of history will do well to con its pages. The format is attractive. The Catholic Book Club has selected this volume for its subscribers as the choice for the month of March. F. D. S.

John Henry Newman. The Romantic—The Friend—The Leader. By SISTER MARY ALOYSI RIENER, S.N.D. Boston: Colleague Press Corporation. \$5.00.

The effort to resurrect the Oxford Movement and to point it toward a reformation of Protestantism rather than along the way to Catholicism, which logically means Romeward, has brought Newman and his writings again into stronger focus. It is very opportune that a Catholic writer of the ability of Sister Aloysi should have presented this fresh study of the man and artist, for Anglican studies usually misrepresent him on the usual score that he must have been weak and cowardly to have surrendered to Rome. The author has done a splendid work, thorough and sincere. One might argue with her about two of the titles under which she has chosen to marshal her proofs, for Newman seems so much more mystic than romantic, and more the inspirer of a few chosen souls than a leader of a multitude. But the author has forestalled these objections and clearly defined the limitations which, with some force of argument, make the terms suitable in the case of Newman. No one will find fault with Sister Aloysi for being fervidly enthusiastic about her subject; while this may detract somewhat from the objectivity of the study, it has given vividness and fervor to her argumentation, and strength and swiftness to her style. Father John Cavanaugh, C.S.C., wrote the enthusiastic foreword and G. K. Chesterton contributed a clever introduction. The book is exquisitely printed and bound. A valuable index, a chronology, and a rich bibliography of Newman sources enhance the volume. B. R. E.

George Washington Himself. By JOHN C. FITZPATRICK. Indianapolis: The Bobbs-Merrill Company. \$3.50.

In the production of this life of Washington, the author has taken every precaution imaginable to fortify his statements with the most exact quotations from the authentic and undisputed works of Washington's own writings. The result is overwhelming. Letters, personal and official; State documents; military orders, general and detailed; private memoranda and public utterances, and every similar available source of reliable information have been scrutinized with the most exacting diligence and utilized with a discrimination and a sagacity that compel conviction and satisfy the most critical demands of even the most captious searcher after truth. The slander that George Washington cherished in his heart a life-long forbidden love for the attractive Sally Cary Fairfax is shown to be completely false and malicious, the fabrica-

tion of shameless detractors, or the deduction of ignorant or incompetent analysis of his personal letters. Thirteen pages of "Notes" and a long alphabetical Index close the volume.

M. J. S.

The Three Estates in Medieval and Renaissance Literature.

By RUTH MOHL. New York: Columbia University Press. \$4.50.

Most people know of the *Tiers-Etat* chiefly by its rôle in the events leading up to the French Revolution; students of medievalism recognize in it an essential unit of feudal society; but no one before reading this book can have realized what a mass of literature, Latin, French, German, and English, was concerned with this large and popular subject. Indeed, the theme is so common in medieval writers and so conventional in most of its occurrences that Miss Mohl is persuaded to regard it, by what must seem to many an abuse of terms, as a literary type or *genre* in itself. The result is to give to her materials a unity which at times is more symmetrical than real, since it discounts the frequent enumeration of more than three estates or classes of men, and attributes the use of the three—nobility, clergy, and commons—to a conscious literary artifice that is more than doubtful. In spite of this seemingly fundamental misconception, the book is valuable for its convenient chronological summary of many documents, as well as for its usually sound analysis of the philosophical conceptions underlying the medieval structure of society. It is only by way of exception that the author betrays here and there an Olympian pity for the outworn notion of class distinctions, thus marring the objectivity of her study, and dating it somewhat before 1929. A. C. S.

BOOKS AND AUTHORS

Personal and Social Hygiene.—There is need for authoritative instruction for college students in regard to personal and community health. Usually modern authors are scrupulously careful of scientific details but frequently not so scrupulous in regard to moral standards and the Ten Commandments. In "Health Facts for College Students" (Saunders, Philadelphia. \$2.00) Dr. Maude Lee Etheredge has produced a good and useful book. She has stressed the important factors which make for healthful living and warns wisely against the dangers which impede it. Her whole attitude is sane and conservative. Though not so absolute and sure as a Catholic would be in maintaining the Christian code of morals, she plainly favors the traditional self-control, having little patience with modern concessions to passion. Sex is treated subordinately as it should be as merely one of the many functions of a living, perpetuating organism.

Dr. A. Buschke and Dr. F. Jacobsohn have been less fortunate in their effort to discuss the sex problem in "Sex Habits" (Emerson. \$2.50). Their excellent scientific presentation of physiology is ruined by their lax view of morals and their utter disregard of God and religion. The book is entirely pagan in its solution of many vexing questions.

Ernest R. and Gladys H. Groves have attempted to guide parents in understanding the psychology of unfolding youth, and in "Sex in Childhood" (Macaulay. \$3.00) they supply many suggestive hints and batter down useless fears. But for the Catholic there is too much of assumption of the Freudian psychology, and too many vulgar details in the case records presented. God and His Grace are abandoned for science and information; and nature is presumed to be without original sin.

Much useful advice for the young married woman in preparation for her most important function will be found in "The Pregnant Woman" (Eugenics Publishing Co., New York. \$2.00), by Dr. Porter Brown. It is plain that Dr. Brown is honestly trying to banish the foolish fears and superstitions which are apt to haunt the mother in her first experience; and his testimony against birth control and divorce, while based solely on science and common-sense, confirms the teaching of the Church in her stringent regulations. What he would recommend of the old morals against the

new fads, the Church with authority demands. Unfortunately Science is placed higher than religion, and God seems to be left out of His Universe.

Social Studies.—Various studies, which have been conducted during the past couple of decades in the different States of the Union, have indicated a wide diversity in the conditions and practices of public-health work in the rural districts of the United States. Knowledge of the disadvantages therefrom ensuing led to the undertaking in 1928 of a careful survey of the field of rural public-health service, through the aid of the Commonwealth Fund. The survey was made under the auspices of the American Public Health Association. The results of this survey, edited by Allen W. Freeman, M.D., are embodied in a publication of the Commonwealth Fund, New York City, "A Study of Rural Public Health Service" (\$2.50). Much valuable information on rural conditions may be gleaned from this detailed analysis of forty-six counties and partial study of 337 rural units. Wide contrasts are shown in such matters as venereal case treatment, maternal care, per capita expenditure on health work, etc.

That children are still commonly detained in jails all over the country, that there is an absence of adequate facilities for detention in many jurisdictions, that detention homes are sometimes little better than jails, and other disregarded facts, are contained in a report of a field survey for the National Probation Association, prepared by Florence M. Warner, Ph.D., entitled "Juvenile Detention in the United States" (University of Chicago Press. \$2.50). Grave problems are raised by the facts revealed in this study, and they are to be commended to social workers and legislators through the country.

"The Forgotten Man" (Patterson Publishing Company, Chicago. \$2.00) of E. G. Shinner is the producer and retailer who is crowded out or crushed by the selfish mammoth interests which are now so firmly entrenched in our country's industrial life. It would be a lasting benefit to the millions of our fellowmen if these octopi were controlled so that they could not extend their powerful arms over the vast wealth of our country to own or manage it. So thinks the author. In place of these gigantic units we must again place the institution of the "Forgotten Man." To all of which the reviewer would say "Amen."

Evaluating Poetry.—"The Use of Poetry" (Harvard University Press. \$2.00) by T. S. Eliot, is a book consisting of a series of lectures given at Harvard during 1932-1933. Mr. Eliot, one of our most distinguished poets and essayists, sets out with the supposition that we do not know really what poetry is, or what it does or ought to do, or of what use it is. Keeping this idea before him, he examines historically the relation of poetry and criticism, and their respective values. Papers tracing his research through the centuries are: An Apology for the Countess of Pembroke; The Age of Dryden; Wordsworth and Coleridge; Shelley and Keats; Matthew Arnold; and The Modern Mind. Here is a delectable repast for the student and the scholar, and for every one who wishes to see the opinions of such an outstanding literary figure such as Mr. Eliot is. The book will cause wide attention and discussion. And this is exactly what Mr. Eliot desires.

"The Appreciation of Poetry" (Crofts. \$2.00), by Ernest G. Moll, of the University of Oregon, is an attempt to give students an understandable appreciation of the noble art of poetry. In order to accomplish this very difficult task, the author's first chapter is devoted to the reading of poetry as an experience. He then takes up the senses in poetry, explaining their importance and the place they should occupy in a poem. Other chapters are given up to poetic thought; the imagination of the poet; figures of speech, and all the necessary requisites for comprehending the magic world of the poet. The book will be a very good stimulant to the beginner, both because of the attractive manner of presentation and the thoroughness and earnestness of the author. But Francis Thompson as a composer of odes is omitted.

By Fancy's Footpath. Valerie Hathaway. Kingdom Coming. Bredon and Sons.

Enid Dinnis again evidences that skill which has won her a place in the front rank of contemporary Catholic authors. "By Fancy's Footpath" (Herder. \$1.25) collects in a book twelve stories which formerly appeared in the *Sign*. They are very characteristic stories and Miss Dinnis' many admirers will know that means they are marked by high spirituality woven into delightful "mystic" plots, understanding humanness, and a charmingly whimsical sense of humor. Opinions will differ as to the favorite of this group, but let us pick "Moriarity's Christ-Child" for the winner, with "S.A.G." and "The Swish of the Curtain" as close runners-up. There are illustrations by Florence Harrison which add much to the beauty of the book.

"Valerie Hathaway" (Sears. \$2.00), by Claudius Gregory, is a story in which a morbid tone prevails. Valerie Hathaway and her husband, Carl, present for vaudeville entertainment a mind-reading act, which to them is most genuine, but it is just another act to their audiences. As children they discovered this peculiar faculty in each other and developed it accordingly. Carl dies, but promises to continue to speak with Valerie's mind from beyond the grave. They might have been successful had not the author introduced Felix Storm and his atheistic beliefs. Valerie falls in love with Felix physically but she cannot marry him because mentally she is married to Carl. Because Felix is a rich young man he is able to rebuild a mountain side which he names Golden Valley. Here he tries to develop the ideal community for those seeking a contemplative life. The experiment fails, however, because things of the spiritual life are disregarded. Valerie, despondent after having given herself to Felix, seeks consolation by answering Carl's voice which seems to be calling her into the sea. Felix, who has by this time come to believe in the after life, rescues her. Valerie then marries him, having come to the conviction, somehow, that Carl has given his consent. Father Augustine, a Catholic priest, and Dr. Garnett, representing science, enter into a discussion on immortality which does not show the priest to be real or representative.

Roark Bradford, rival of Mrs. Peterkin as a white student of Negro folkways, sounds a more jovial note in "Kingdom Coming" (Harper. \$2.50). In this "untold drama of the Civil War," the author of "Ol' Man Adam an' His Chillun" tells the story of a plantation waif "from the inside": the world that Grammy (short for Telegram) saw, and the dread, mysterious movement for freedom and the "North Star" that he was caught up into. The story swings along as easily as the pace of Grammy's beloved mules; and winds up, after its mixture of tragedy and comedy, in the pathetic bewilderment of Grammy when face to face with "freedom" in New Orleans. Somehow the houses "did not look so big as he had pictured them in his mind. He wondered if it were the right street, after all." Alas! other surprises awaited Grammy.

Neil Bell, in "Bredon and Sons" (Little, Brown. \$2.50), has chosen a new part of England to interest his readers—Suffolk on the North Sea. In Senwich on the Suffolk coast live the Bredon family, sea-faring folk; their life is controlled by the sea which is so close to them; its every change has its effect upon them. George Bredon was a master boat builder, as was his son James—their yawls and cutters were the pride of Senwich. James was a serious-minded individual whose trade was his chief interest; John Bredon, however, was indifferent to paternal wishes; he quite astounded old Senwich with his scandalous affair with Lady Avis Langley; although John was short-lived, his fast life left a vivid impression. Through four generations Mr. Bell traces the line of Bredons, their marriages and scandals. There is much in this book which is far from uplifting, though as a study in character development it might be useful. But these lives portray evil, not good. Senwich, a Catholic community, was shocked by the apostasy of the two sons of the oldest Catholic family in Senwich. So will the Catholic reader be.

Communications

Letters to ensure publication should not, as a rule, exceed 500 words. The editors are not responsible for opinions expressed in this department. No attention will be paid to anonymous communications.

The Wagner-Costigan Bill

To the Editor of AMERICA:

With reference to your editorial on "Congress and Lynching" in the issue of AMERICA for January 27, I agree that the Wagner-Costigan Bill has several bad features about it. I for one do not think it will pass, or even be reported out of committee.

But, first, the editorial states that the bill is a "gross and open intrusion upon the constitutional rights of the States." The fact of the matter is that the very best feature about the bill is that it does not intrude. The copy of the bill I have before me states specifically that the Federal Government shall not interfere unless

any State or governmental subdivision thereof fails, neglects, or refuses to provide and maintain protection to the life or person of any individual within its jurisdiction against a mob or riotous assemblage, whether by way of preventing or punishing the acts thereof, [when] such State shall by reason of such failure, neglect or refusal be deemed to have denied to such person the equal protection of the laws of the State, and to the end that the protection guaranteed to persons within the jurisdictions of the several States, or to citizens of the United States, by the Constitutions of the United States, may be secured, the provisions of this Act are enacted.

The above provision adequately covers the dignity of the several States, but when the several States manifestly refuse to uphold their own laws, then the Federal Government is merely serving its own function when it steps in to enforce respect for these rights guaranteed every citizen by the Constitution itself. That the States will not be interfered with when they are functioning as States should is evident from the wording in Section 4 of the bill, which provides that the district court of the judicial district has jurisdiction only when it is first made to appear to such court (1) that the officers of the State charged with the duty of apprehending, prosecuting, and punishing such offenders (members of the mob) shall have failed, neglected, or refused to apprehend, prosecute, or punish such offenders; or (2) that the jurors obtainable for service in the State court having jurisdiction of the offense are so strongly opposed to such punishment that there is no probability that those guilty of the offense can be punished in such State court.

Secondly, it is certain that we should not ask the Federal Government to interfere when the State is able and willing to control a situation, but the odds are at present against many of the States being either able or willing to control the lynching flare-up. The main advantage of Federal intervention in such cases is that it will remove the case from local hands which, the facts would seem to indicate, are too often controlled by local sentiment, to the hands of a court which can see beyond sectional horizons.

Thirdly, there has been considerable agitation against anti-lynching legislation on the ground that, to quote the editorial, "What is needed to curb lynching is not more laws . . . but the creation of an enlightened public opinion which will demand enforcement of the laws already enacted." Such a statement is always safe to make, for it is equally true of any law. But until such a state of beatitude is reached those who are still *in via* must be coerced into granting social justice even to the Negro who seems to be the usual victim of the rope and faggot. Ironically 250 Federal agents were reported to have been working on the case of a recent kidnaping of the son of a *wealthy* man. Did they wait for an "enlightened public opinion" to return the young man?

Fourthly, incidentally, the penalty is \$10,000, not \$1,000, as the editorial states.

Baltimore.

JOHN T. GILLARD, S.S.J.

[(1) We thank Father Gillard for pointing out that the purpose of the Wagner-Costigan bill is to enforce the provisions of the Fourteenth Amendment. (2) However, the history of that Amendment gives us no reason to hope that the bill will effectively suppress the national scandal of lynching. Enacted primarily to protect the Negro, its chief effect has been to afford protection to the plundering corporation. (3) Hence we still think that "what is needed to curb lynching is not more laws . . . but the creation of an enlightened public opinion which will demand the enforcement of laws already enacted." (4) As an enforcement statute of the Fourteenth Amendment, the Wagner-Costigan bill, therefore, while in accord with the Amendment, will need the same public opinion behind it as is needed by the laws already passed, and now so widely violated.—Ed. AMERICA.]

Graduate Red Tape

To the Editor of AMERICA:

I was much amused to read in the issue of AMERICA for January 13, the article of R. W. Hahn on "Graduate Red Tape." It offers an interesting phenomenon to listen to the expatiation of one who in the last analysis says nothing at all. Each one of us is grateful for the salutary experience which taught us that "barking dogs never bite" and if left alone they merely growl and cause no injury.

One of the finest indices of intelligence is to offer criticism which is at once constructive as well as destructive. The hand laborer has the brute power to wreck any structure whatsoever; but as far as rebuilding it or conceiving a substitute he is powerless. R. W. Hahn, after his crushing misuse at the hands of graduate officials, seems embittered against the whole system of education.

Far be it from me to sanction all the workings of a graduate school. I, too, feel the sting of its lash; but as a child undergoing its punishment we know that this is the price we must pay, and unless we pay it there can be no scholarship.

St. Louis.

TERENCE BROWN.

Remailing Appeals

To the Editor of AMERICA:

We are stationed in a town of 45,000 inhabitants and conduct a grade school. Our separated brethren are scattering papers, books, and pamphlets and as all instructions are given in English they do much harm to our holy religion. We are too poor to pay subscriptions on several papers and magazines we should like to get.

Would you kindly interest one or more of your subscribers and ask them to remail us their papers after they have finished reading them? Our address is Holy Name Academy.

Lavag, Ilocos Norte, P. I.

SISTER CORTONA, S.Sp.S.

To the Editor of AMERICA:

My appeal in AMERICA for Catholic literature for our boys in the conservation camps has produced a remarkable result, and on behalf of these 3,000 boys I extend profound gratitude.

It is our practice to give immediate acknowledgment both to letters and parcels, but unfortunately the past week has brought us three splendid packets but without any indication of the generous donors.

There is much work still ahead of us, for it is now reported that the boys will be in our midst until May and great need exists. The boys are delighted at the splendid reading matter which is being sent and for the benefit of our friends I may say their department is excellent.

Rockwood, Tenn.

W. J. MEININGER.

To the Editor of AMERICA:

After many years' experience of the good that can result from spreading apologetic literature among non-Catholics, I am appealing to your readers to send me copies of the following books: Gibbons' "The Faith of Our Fathers," Conway's "Question Box," Scott's "The Credentials of Christianity."

Dunn, N. C.

REV. JAMES F. GALLAGHER.

Chronicle

Home News.—The Army took over the airmail service on February 19, although many schedules were canceled because of snow, rain, and fog. The investigation continued in Washington. Former Postmaster General Brown appeared before the Committee on February 19 and 20, accepting full responsibility for the airmail contracts, testifying that he had granted extensions and route certificates without competitive bids, but contending that his actions were strictly within the terms of a law for which Congress alone was responsible. President Roosevelt signed the code of fair competition for daily newspapers on February 17. It provided for a maximum forty-hour week for clerical and mechanical employees, a child-labor provision much as wanted by publishers, and set up a Newspaper Industrial Board to deal with certain labor controversies and disputes. The President was not satisfied with the child-labor provisions and asked for a report and recommendations on the subject in sixty days. He requested publishers with large circulation to institute a five-day, forty-hour week for their reporters and writers. On February 15, Mr. Roosevelt asked Congress for an extension of the temporary Deposit Insurance Act until July 1, 1935. Coincident with an announcement that the railroads had notified union employees of a proposed fifteen-per cent wage reduction, the President made public a letter he wrote February 14 suggesting a continuance of the present ten-per-cent temporary reduction. On February 16, he added \$150,000,000 to the \$350,000,000 fixed as the CWA allotment in the relief bill recently passed by Congress. He gave his endorsement on February 17 to pending legislation to prohibit ginning of cotton in excess of 9,500,000 bales from the crop of 1934. A series of bills was submitted by the Department of Justice to the Judiciary Committees of Congress on February 19, all designed to help the Government in its attack on organized crime. On February 19, General Johnson announced the creation of an advisory board to safeguard small enterprises under NRA codes against monopolistic practices. In a radio address on February 20, he invited participation by the public in hearings on February 27 at Washington on complaints of NRA codes, their administration and content, preliminary to code conferences to be held on March 5 to find the cure for these complaints. Advocates in the House of the soldier bonus were able on February 20 to secure the total of 145 names on the petition required to discharge the Ways and Means Committee from further consideration of the Patman bill to pay \$2,400,000,000 in greenbacks to cash adjusted service certificates. This made necessary a vote on the bill, with March 12 the earliest possible date.

Austria Marks Time.—On February 15 the civil war, begun by the Socialist armed resistance to search in Linz, ended in the almost complete collapse of the Socialist party. Austrian police, aided by the Heimwehr, had al-

most completed its roundup of Socialist fortifications and armaments. On February 20, Chancellor Dollfuss announced that peace and order had been fully restored and that martial law would be lifted on February 21. He also declared that the military courts would continue to function, but that life sentences at hard labor would be substituted for the death penalty. Several important Socialist leaders captured in the "battle of apartment houses" had already been hanged. The official figures for the dead given by Dollfuss was 241, but many estimates reached 1,000, some even more. Important leaders of the revolt, Julius Deutsch and Otto Bauer, crossed the frontier into Czechoslovakia on February 15, and later on went to Prague. It was found that the Vienna tax-built dwellings had been specially made for military defense in strategic positions. It was reported that many of the Socialists had fled to the Nazis in hope of revenging themselves on the Heimwehr. The Government's dead were buried with solemn military honors, at which President Miklas and Cardinal Innitzer were present. The eight-day ultimatum broadcast by Habicht, added to the discovery by the Italians of Nazi ammunition at Trieste, aroused the fighting spirit in Italy and strengthened Austria's position with the Great Powers. What the Austrian Nazis would next attempt was problematical.

Soviet Reaction to Austria.—The news of the resistance offered by the Social Democrats to the Austrian Government in the Vienna fighting aroused mixed feelings in Soviet Russia. Naturally admiration was expressed by the Moscow press for the Austrian Socialists as combating capitalism and Fascism. But further than that little more could be said, owing to the traditional detestation in which the Austrian Social Democrats were held by the Bolsheviks. Hence there was embarrassment at being obliged to admire their stand—an attitude reflected in the violent attack made by American Communists upon the Socialist protest meeting in Madison Square Garden, New York City, on February 16. There was likewise embarrassment that world revolution should again come to the fore, at a time when all efforts were concentrated upon obtaining foreign credits and proclaiming peaceful contentions. The utmost care was shown in avoiding any slightest seeming of connection with the revolt.

Germany's Watchful Waiting.—While many believed that Germany was seriously involved in the Nazi disturbances in Austria, officially the Government adopted a hands-off policy and awaited developments of the Nazi ferment which was being heightened by German influences said to be unknown or unapproved by the Government. Nevertheless France, Italy, and Great Britain jointly assured Austria that no country would be allowed to interfere in Austria's internal affairs; and the document was recognized as an indirect warning to Hitler. On February 20, Hitler reprehended Theodor Habicht for having broadcast an ultimatum to Austria without approval of his superiors, but he failed to contradict

Habicht's announcements. Foreign short-term creditors granted Germany a year of grace on capital repayments. The interest rate remained unchanged. For the first time in four years imports exceeded exports, causing considerable anxiety to the Nazi officials and the bankers. Cardinal Faulhaber in his first Lenten sermon boldly defended the Catholic Church and her good faith in signing the Concordat, while fearlessly criticizing the present irreligious attitude of the Nazi leaders. The Cardinal in his Lenten Pastoral letter defended the Catholic position on sterilization, emphasizing that Christian principles, binding upon all nations, on the powerful leaders as well as the plain people, must always be placed before national programs. Hitler and Goering were bitterly assailed by the foreign press for the delay in releasing the three Communists acquitted in the Reichstag fire trial.

Royal Tragedy in Belgium.—Albert I. King of the Belgians, was killed on February 17 by a fall while scaling a cliff in the rocky hills along the Meuse at Namur. The king was fifty-nine years old and had worn the crown for twenty-four years. While the nation mourned his death, the body was taken to Brussels with great military pomp. The funeral was held on February 22 from the Cathedral of St. Gudule and was attended by representatives of every Government in Europe. The Duke of Brabant took the oath in the Chamber of Deputies on the next day, thus succeeding to the throne with the title of Leopold III. The new king is thirty-two years of age, is married to Princess Astrid of Sweden, and has two children.

Spain and the Holy See.—On February 17 the Vatican informed Madrid that until certain conditions were fulfilled by the Spanish Government, Leandro Pita Romero, now the Foreign Minister but recently proposed as the Republic's first Ambassador to the Holy See, would be regarded as a *persona non grata*. The conditions demanded by the Vatican's note were not made public, but observers believed that drastic changes in the Republic's laws concerning Religious Orders were included among them. On February 19 the Cabinet held a meeting to discuss this note and decided to reject its demands. It was frankly admitted that this decision might alienate the support of the Right in the Cortes, without which the Lerroux Government could not hope to continue. But even previous to these events, somewhat strained relations had developed between the Vatican and Madrid. Last week the Papal Nuncio, Msgr. Tedeschini, speaking during the anniversary services for the Pope's coronation, expressed sorrow over the fact that the present regime had "turned its back on Spain's glorious Catholic traditions." Interpreting this statement as an attack upon the Government, Foreign Minister Romero dispatched a protest to the Holy See. His note pointed out that the Nuncio had been bold enough to voice his criticisms within the precincts of purely Government property. Ironically enough, this was the Madrid Cathedral, now nationalized by the State under the new Constitution. On February 19, the

20,000 striking members of the Socialist Building Trades Union in Madrid voted to return to work when the Minister of Labor assured them that a public-works program, sufficiently large to give work to 30,000 men, would be launched in early Spring.

International Peace Congress.—The opening in Brussels on February 15 of the International Congress for the Defense of Peace was attended by 200 delegates representing twenty countries. A bitter attack on the League of Nations, on the score of lack of frankness, was made by the Norwegian delegate, C. J. Hambro, president of the Norwegian Storting. Malcolm W. Davis, American delegate, discussed American conditions for joining the League.

Anglo-Russian Treaty.—The long negotiations for an Anglo-Russian trade agreement were completed, with the signatures of both countries attached to the document on February 16, bringing the ten months' trade war to an end with the resumption of commercial relations. Since the agreement must be ratified before it could become effective, the treaty in detail was laid before the House of Commons on February 19 as a White Paper. The subject was expected to be debated at an early date. The official text contained the following salient points: (1) the treaty made provision for full and reciprocal most-favored-nation treatment in each country; (2) prevented dumping by either country, each reserving the right to punish the guilty one, should dumping occur, by cancellation of the most-favored-nation treatment on three months' notice; (3) Russia's proceeds from her sales to Britain were promised to be used to increase her purchases of British goods and for chartering British ships; (4) Britain extended credit facilities to Russia equal to those of other countries, while at the same time pledging diplomatic immunity to Soviet trade representatives, retaining, however, the right to settle disputes arising in the United Kingdom in the British courts; (5) the most-favored-nation treatment will apply to all British colonies and mandates, excluding specifically Dominions and their mandates. Both countries reserved the power to denounce the agreement on six months' notice. The ratification of the treaty was expected to stir up a storm in the House of Commons in view of the Conservatives' long hostility to the Soviet Union.

Britain's Unemployment Bill.—The House of Commons was engaged in debates over many points in the Unemployment Bill, especially those affecting the welfare of children and young people who leave school only to increase the ranks of the unemployed. In the course of the discussion the Government defeated a motion to increase the benefits of each dependent child from 2s. to 3s. The Government contended that such a change in the Bill would entail an additional appropriation of £2,000,000. In their effort to amend the clause which made provision for instruction centers for unemployed juveniles the Opposition failed. The Opposition claimed that it

would be cheaper to increase the school age of children to eighteen than provide for these centers. This proposition was advocated by many speakers as the best solution of juvenile unemployment. Meanwhile, on February 19, Sir John Simon in the House of Commons read a report that the British Minister in Vienna had made representations to the Austrian Government in behalf of clemency toward the Socialists recently arrested in the Austrian disturbances. The joint declaration by Great Britain, France, and Italy was reported to the House of Commons. From the comments of the British press, it was indicated that the British Government only half-heartedly signed the declaration, refusing a pledge to use force if Austria's independence were violated. Italy was said to urge this pledge on the other great Powers, but the British steadfastly refused to involve themselves further in any risk.

Cuba Shows Firmer Hand.—President Mendieta signed a decree on February 16 dissolving the National Medical College and depriving the associations of nurses and hospital attendants of their official character. Several weeks ago the medical college called a strike of physicians, nurses, hospital attendants, and pharmacists after a long controversy with the Spanish Regional Mutual Benefit Association. The strike was broken when the Government arranged a thirty-day truce. The Government also took a firmer hand with labor at interior points, particularly in the sugar-mill districts, where labor trouble was holding up grinding operations. Fifty strike leaders and agitators were arrested and the workers ordered either to return or leave the district. The confirmation of Jefferson Caffery's appointment as United States Ambassador to Cuba was well received in all circles.

Church Seizure in Mexico.—The Attorney General's office was reported by the *New York Times* as having issued an opinion on February 20 to Federal prosecutors, which was believed to be a preliminary to seizure of church property transferred to individuals or groups to hold for the church when ecclesiastical property was nationalized.

Colombia's New President.—Alfonso Lopez, leader of the Liberal party, was elected President of Colombia last week by a big majority over his only opponent, Estiquio Timote, a Communist Indian farmer. Sr. Lopez had been assisting the League of Nations Commission arbitrating the dispute over Leticia between Colombia and Peru.

Tokyo Ministers Accused of Bribery.—Immediately after Baron Nakajima, Minister of Commerce and Industry, had been forced to resign because of an unfortunate magazine article written ten years before, charges of bribery were made against two other members of Premier Saito's Cabinet. Minister of Railways Mitsuchi, and Minister of Education Hatoyama were accused of accepting a bribe for facilitating a merger of all Japanese steel plants. Some 130 members of the House of Repre-

sentatives also were alleged to have received cash payments through the merger and were expelled by a majority vote from their party. The House appointed a committee of eighteen to investigate the charges. Mr. Hatoyama admitted the acceptance of 50,000 yen, but insisted that it was not a payment for service rendered but merely a personal gift from the President of one of the steel companies who was a schoolmate and intimate friend. Though the budget had not yet been passed by the Upper House, the latest Tokyo dispatches reported that Premier Saito's Cabinet was in serious danger of collapse.

British Disarmament Mission.—A forlorn hope appeared to be the inspiration of Captain Anthony Eden, the British delegate to the world disarmament conference, as he approached first the French, then the German Government in the task of bringing a solution to the deadlock which existed between them on the subject of arms reduction. Captain Eden found the French Cabinet less receptive to the British arms plan than they had been before the recent transformation in French politics. They were reported as expressing themselves unalterably opposed to making any concession in their stand that the German semi-military organizations, the Storm Troops and the Special Guard (SA and SS), were truly effective in the practical sense of the word. Their position was said to be concurred in by Czechoslovakia in the person of M. Benes, Foreign Minister of that country. Hugh R. Wilson, American Minister to Switzerland, expressed himself pessimistically as to the outcome. After a two-day conference in Paris, Captain Eden proceeded to Berlin, where he began his talks with Chancellor Hitler on February 20. Nothing was made known concerning these initial conversations. On the same day Fulvio Suvitch, Italian Under-Secretary of Foreign Affairs, arrived in Budapest. His visit, especially in view of the recent Austrian developments, was regarded as of the greatest consequence, but its precise bearing was not made clear.

In view of the widespread difference of opinion on the subject that has manifested itself lately, the article of Paul L. Blakely, "The Child Labor Amendment," will be a timely summing up of the evidence against the measure.

As a sequel to his article on the delays of the law in this issue, Prof. I. Maurice Wormser's paper next week on "Unfaithful Lawyers" will prove to be a vivid presentment of some evils in the law's evasion.

Newman's famous dictum on the Protestantism of Catholic literature has gone too little noticed lately, and next week John E. Wise will examine it more closely in the light of history, in "Newman on Catholic Literature."

Charles Morrow Wilson, whose articles on farming problems have attracted much attention, will present a timely study of the new proposals to buy up sub-marginal lands, in his article, "New Hope for Farmers."